

Extending the Thin Blue Line  
Constabulary Police Development in Phase Zero Operations

A Monograph

by

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## Abstract

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After more than a decade of a war on terror, the United States Department of Defense has aggressively built foreign armed forces in an attempt to prevent the failure of struggling states, which often become safe havens for insurgent networks. In this quest to establish rule of law and legitimacy, the US government often focuses on strengthening host nation armies to promote internal and external security. Armies, however, do not experience the same degree of personal contact with a society, as does a police force. Ironically, police development is often an after-thought in nation building activity, in both preemptive and post combat stability operations. When proactive police development does occur, intergovernmental agencies or Special Operations Forces who lack practical policing experience and expertise often perform this task.

In counterinsurgency operations, the support of a local population is the enemy's center of gravity. In order to contain evolving terror and criminal networks in a Phase Zero environment, US statesmen and military leaders could deploy expeditionary US Army Military Police assets in conjunction with Special Operations Forces (SOF), the US Department of State, and other intergovernmental agencies to train and develop constabulary police forces in unstable states. This combined effort would result in capable and robust police forces that are able to offer local populations security and safety. More importantly, foreign police would earn the trust and confidence of vulnerable local nationals, who tend to seek protection from insurgent networks in volatile states. Building constabulary police forces in a peacetime atmosphere is a way to deter internal conflict and insurgency before a state fails and requires the deployment of combat arms organizations and subsequent rebuilding.

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## Acronyms

AFP	Australian Federal Police
AOC	Army Operating Concept
ANP	Afghan National Police
BCT	Brigade Combat Team
COIN	Counterinsurgency
DEA	Drug Enforcement Agency
DoD	Department of Defense
DoJ	Department of Justice
DoS	Department of State
FALINTIL	Forças Armadas da Libertaco Nacional de Timor-Leste
FBI	Federal Bureau of Investigations
FRETILIN	Frente Revolucionaria de Timor-Leste Independente
GCC	Geographic Combatant Commander
HBCT	Heavy Brigade Combat Team
IBCT	Infantry Brigade Combat Team
IDG	International Deployment Group
INTERFET	International Force East Timor
JCET	Joint Combined Exchange for Training
JCS	Joint Chief of Staff
LEAT	Law Enforcement Advisory Team
MI	Military Intelligence
MOI	Ministry of the Interior
MP	Military Police
OPCON	Operational Control
PDD	Presidential Decision Directive

PNTL	Policia Nacional de Timor-Leste
RAF	Regional Alignment of Forces
RAMSI	Regional Assistance Mission-Solomon Islands
RAMSI PPF	RAMSI Participating Police Force
RAND	Research and Development
SHAEF	Supreme Headquarters Allied Expeditionary Force
SOF	Special Operations Forces
UN	United Nations
UNTAET	United Nations Transitional Authority East Timor
US	United States
USAID	United States Agency for International Development
WWII	World War Two



## Introduction

“The ability of the police to perform their duties is dependent upon public approval of police existence, actions, behavior and the ability of the police to secure and maintain public respect.” -Sir Robert Peel

The al Qaeda inspired terrorist attacks on the United States on September 11, 2001 generated a lasting sense of fear in the American public. Since this destructive day, terrorism continues to pose a formidable security threat to the United States that impacts both domestic and foreign policies.<sup>1</sup> In an attempt to contain terrorism, the United States has focused on building host nation militaries in Iraq and Afghanistan and in other states that are at risk for developing insurgencies. However, these measures often occur after terror networks have established strong holds in unstable states, and they focus on building foreign armies before strengthening police capacity.

For the past decade, the United States Department of Defense (DoD) has developed host nation armies and police forces in Iraq and Afghanistan in attempt to establish stability and subsequent rule of law. These efforts are repeatedly ill timed, and terror networks often reach their climax before the point of military intervention. The French Army experienced a similar dynamic in Algeria in 1954. At this time, insurgency was reaching its apex, and the Algerian police force consisted of less than 50,000 capable uniformed officers.<sup>2</sup> By the time that the French National Assembly granted the government the appropriate power to contain the emerging threats, most of the police, particularly its Muslim members, “had been engulfed in the chaos.”<sup>3</sup>

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<sup>1</sup>Mark A. Sauter and James J. Carafino, *Homeland Security: A Complete Guide to Understanding, Preventing, and Surviving Terrorism* (New York, NY: McGraw-Hill, 2005), 38.

<sup>2</sup>David Galula, *Counterinsurgency Warfare: Theory and Practice* (Westport, CT: Praeger Security International, 1964), 4.

<sup>3</sup>Ibid.

Conducting police development in Phase Zero or the “pre-crisis environment”<sup>4</sup> of military operations would posture host nations to become more proactive instead of reactive in their quest to prevent insurgency by winning the support of the population.

Classical military theorist David Galula postulates that winning the support of local nationals is vital to defeating an insurgency. In *Counterinsurgency Warfare*, Galula suggests that the support of the people is the enemy’s center of gravity in insurgency operations. “If the insurgent manages to dissociate the population from the counterinsurgent, to control it physically, to get its active support, he will win the war because, in the final analysis, the exercise of political power depends on the tacit or explicit agreement of the population, or at worst its submissiveness.”<sup>5</sup> Galula later declares that a nation’s police are one of four vehicles that are critical to the control of the population.<sup>6</sup>

A police force experiences more contact with a local populace than an army does and promotes the legitimacy of governments that is conducive to stability. As the “eyes and arm of the government in all matters pertaining to national order,” the police are an integral part of controlling the population and isolating extremists in the early stages of an insurgency.<sup>7</sup> Historically, the US military has focused on building host nation police forces in the later stages of counterinsurgency (COIN) operations. Specifically in Afghanistan, nearly four years after the initial invasion, the Afghan National Police (ANP) remained corrupt and incapable of conducting adequate policing; they also remained more loyal to local criminal networks than to the central

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<sup>4</sup>Brian S. Petit, *Going Big by Getting Small: The Application of Operational Art By Special Operations in Phase Zero* (Denver, CO: Outskirts Press, Inc, 2013), 2.

<sup>5</sup>David Galula, *Counterinsurgency Warfare: Theory and Practice* (Westport, CT: Praeger Security International, 1964), 4.

<sup>6</sup>Ibid, 17. The other three instruments that facilitate control of the local populace in counterinsurgency warfare include the political structure, the administrative bureaucracy, and the armed forces.

<sup>7</sup>Ibid, 20.

government or the MOI.<sup>8</sup> Pre-emptive police development furnishes a mechanism to contain these divided loyalties and denies insurgent networks safe havens.

Building police forces in the early stages of insurgency postures failing states to both isolate hostile actors and to procure intelligence and support from local nationals. This participatory community approach to policing promotes a lasting sense of security and safety among populations, which generates trust and confidence in local institutions and security forces. Emergent government legitimacy and eventual exercise of rule of law denies sanctuary to terrorist organizations. This regional stability would minimize the deployment of traditional combat arms forces for decisive action and subsequent state rebuilding operations, thereby offering statesmen and geographic combatant commanders (GCCs) increased options for the employment of military assets in a budget-constrained environment.

Today's US military will inevitably face a reduction in manpower and assets after nearly two decades of war. In addition to combating the challenges associated with fiscal and human resources constraints, the US Department of Defense and other intergovernmental agencies will have to devise methodologies to counter terrorism, weapons of mass destruction, and other non kinetic means employed by insurgents and other non state actors that pose a threat to global security.<sup>9</sup> To counter these emerging threats with limited resources, the Department of Defense can identify states that are at risk for developing insurgencies and have permissive environments that are conducive to joint training and security partnerships.

In order to deter evolving terror networks, the US military could deploy expeditionary Military Police teams in Phase Zero operations, in conjunction with Special Operations Forces (SOF), the US Department of State, and other intergovernmental agencies, to train and develop

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<sup>8</sup>Robert K. Byrd, "Foreign Police Development: The Third Time's the Charm," (Army War College, Carlisle Barracks, PA, 2010), 4.

<sup>9</sup>The White House, *The National Security Strategy of the United States of America* (Washington DC: The White House, 2010), 8.

host nation constabulary police in states that are at risk for developing insurgencies. This action would result in capable and robust police forces that would be able to offer local populations security and safety. Accordingly, foreign police would earn the trust and confidence of local nationals who tend to seek protection from terror networks in unstable states. Establishing constabulary police forces in a Phase Zero atmosphere is a way to contain internal conflict and insurgency before a state fails and requires the deployment of combat arms organizations to rebuild failed infrastructure. A separate service designed for nation building and low-intensity conflict could serve as a vehicle for building security forces in unstable states through persistent engagement.

Former US Army Lieutenant Colonel Geoffrey Demarest suggests that the United States create a permanent expeditionary force consisting of a hybrid police-military service that would serve as a tool for implementing foreign policy goals. Noting that traditional combat units historically perform poorly at the task of developing foreign police, Demarest asserts that this approach would reserve traditional war-fighting organizations for contingencies requiring the application of broader forces.<sup>10</sup> Creating expeditionary Military Police teams and aligning these assets with the Department of State and other intergovernmental agencies during Phase Zero operations would furnish the proficiency in law and order operations that enables foreign constabulary forces to contain terrorism before a state fails.

In *Going Big By Getting Small*, Brian Petit declares that the purpose of military engagement in Phase Zero operations is “prevent war.”<sup>11</sup> One of the enabling components of Phase Zero operations is Security Cooperation. This measure builds relationships with host nation defense entities while providing “US forces with peacetime and contingency access to a host

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<sup>10</sup>Geoffrey Demarest, “Expeditionary Police Service,” *Military Review* 73 (1993), 50-51.

<sup>11</sup>Brian S. Petit, *Going Big by Getting Small: The Application of Operational Art By Special Operations in Phase Zero* (Denver, CO: Outskirts Press, Inc, 2013), 3.

nation.”<sup>12</sup> The programs and personnel associated with Security Cooperation in Phase Zero Operations, however, often lack the subject matter expertise, practical law enforcement experience, and manpower that is vital to developing police forces. Specifically, “seven of its twelve programs are administered by DoD through the Defense Security Cooperation Agency (DCSA) ‘under the control of the Department of State’ as a component of Foreign Assistance.”<sup>13</sup> This existing system often results in undesired effects. “[T]he chain of delivery for engagement can be extensive, bureaucratic, and extended so far across time, space, and organizations that the results are diluted or worse manipulated.”<sup>14</sup> US Army expeditionary Military Police Teams can furnish the law enforcement expertise and operational depth to fill the gaps that exist in current defense security cooperation activities. This study will examine the viability of an expeditionary constabulary force as a means to deter terrorism during Phase Zero operations.

In order to facilitate clarity and a thorough understanding, the study will provide definitions of key terms and delineations used in this product. In analyzing host nation police building and the subsequent deterrence of terrorism, terms that appear frequently are rule of law, Phase Zero, insurgency, and constabulary police forces. Rule of law refers to a means of governance in which all persons, institutions and other entities “are accountable to laws that are publicly promulgated, equally enforced and independently adjudicated, and which are consistent with international human rights standards.”<sup>15</sup>

Adherence to rule of law sets the conditions for stability in struggling states. Stability operations consist of military tasks conducted in conjunction with the exercise of other instruments of power “to maintain or reestablish a safe and secure environment, provide essential

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<sup>12</sup>Ibid, 107.

<sup>13</sup>Ibid, 110.

<sup>14</sup>Ibid.

<sup>15</sup>The United Nations, *Rule of Law Indicators: Implementation Guide and Project Tools* (The United Nations, 2011), v.

government services, emergency infrastructure reconstruction, and humanitarian relief.”<sup>16</sup>

According to the model proposed in this study, Phase Zero operations would set the conditions to enable rule of law and subsequent stability in struggling states.

Phase Zero is the environment that exists before a state fails “in which state relations are peaceful and routine.”<sup>17</sup> The purpose of Phase Zero operations is to prevent war via diplomacy, constant engagement and host nation force building.<sup>18</sup> If Phase Zero operations are effective, states and other enabling entities can prevent insurgency, which is “a protracted struggle”<sup>19</sup> designed to achieve specific objectives that facilitate the overthrow of an existing government.<sup>20</sup> A constabulary police force can gain control of the local populace and isolate proponents of insurgency. Based on the design implemented by Dwight Eisenhower in 1945, a constabulary police force is an organization designed to maintain both civil and military security, to assist in the accomplishment of government objectives, and to control prescribed state borders.<sup>21</sup>

This study will analyze the expeditionary constabulary police model proposed by Geoffrey Demarest and suggest that US Army Military Police (MP) teams align with Defense Security Cooperation Agencies in Phase Zero operations. These expeditionary MP assets would train foreign constabulary police forces on the fundamentals of law and order, investigations, and border security preemptively, before insurgency consumes a state. The research will subsequently

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<sup>16</sup>United States Army, Field Manual 3-07: *Stability Operations* (Washington, DC: Government Printing Office, 2008), vi.

<sup>17</sup>Brian S. Petit, *Going Big by Getting Small: The Application of Operational Art By Special Operations in Phase Zero* (Denver, CO: Outskirts Press, Inc, 2013), 2.

<sup>18</sup>Ibid.

<sup>19</sup>David Galula, *Counterinsurgency Warfare: Theory and Practice* (Westport, CT: Praeger Security International, 1964), 2.

<sup>20</sup>Ibid.

<sup>21</sup>Kendall D. Gott, *Mobility, Vigilance, and Justice: The US Army Constabulary in Germany, 1946-1953* (Army Command and General Staff College, Fort Leavenworth, KS, Combat Studies Inst., 2005,) 10.

prove that properly manned and trained constabulary forces can offer local populaces safety and security from transnational organized crime, narco-terrorism, and piracy. This security would serve as the catalyst for isolating extremists who promote insurgency and deter internal conflict before a state fails and requires subsequent rebuilding and the deployment of conventional combat forces.

This work tests two hypotheses to determine the validity of Demarest's model in Phase Zero operations by analyzing two case studies: the US Army's employment of constabulary forces to train German police in post World War II Germany in 1945<sup>22</sup> and the Australian Federal Police (AFP) training foreign police departments as an expeditionary constabulary police force in East Timor and in the Solomon Islands. The hypotheses evaluated are as follows:

H1: If a struggling state has a professionalized constabulary police force, then host nation governments are able to offer local populaces security and safety.

H2: If Geographic Combatant Commanders (GCCs) employ Military Police as the primary trainers of host nation constabulary police forces, then they will have increased options for the employment of coercive forces from a distance during Phase Zero operations.

Five research questions will evaluate these aforementioned hypotheses and analyze Demarest's model. The questions that evaluate the theory proposed by this study are as follows:

Q1: In what states have constabulary police forces been effective in defeating insurgency and/or terrorism?

Q2: What is the composition of a typical constabulary force?

Q3: What would the composition of an expeditionary Military Police supporting a Regional Alignment of Forces (RAF) resemble?

Q4: What are the constraints of the Foreign Assistance Act of 1974 with regard to training foreign police forces, and what exceptions have been applied to this law to facilitate the

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<sup>22</sup>Kendall D. Gott, *Mobility, Vigilance, and Justice: The US Army Constabulary in Germany, 1946-1953* (Army Command and General Staff College, Fort Leavenworth, KS Combat Studies Inst., 2005).

United States offering assistance to police forces in states recovering from conflict?

Q5: What are the benefits of developing effective constabulary forces with Military Police in Phase Zero, and does this approach offer GCCs increased flexibility with regard to employment of maneuver and SOF elements?

There are specific limitations to this study. First and foremost, no evidence that documents US military forces training constabulary forces in Phase Zero operations exists; the US military case study analyzed consists of constabulary police training that occurred after the inception of major combat operations. Secondly, the US currently has no experience with constabulary forces of its own, since posse comitatus and Title 10 restrictions prohibit the combination of internal military and police operations.<sup>23</sup>

There are also delimitations associated with of this work. This study only analyzes the US Army training foreign police as a constabulary force in Germany after World War II. Although the US military has trained host nation police in post combat environments both prior to and after WWII, post WWII Germany is one of the few historical instances in which the US military employed a constabulary force that successfully forged a lasting peace after armed conflict. This operation was successful because the US proactively planned for stability operations after major combat operations. Military leaders and US statesmen often neglect planning for the state of volatility that occurs after armed conflict. “While securing a lasting peace is an inevitable task for the US Army in any conflict, it is one that arguably receives little attention from the public, policy makers, or until recently, the military itself.”<sup>24</sup> The US Constabulary in Germany in 1945 offers a potential model of emulation for an expeditionary

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<sup>23</sup>Richard L. Millett, *Searching for Stability: The US Development of Constabulary Forces in Latin America and the Philippines* (Army Combined Arms Center, Fort Leavenworth, KS, 2010), 1.

<sup>24</sup>Kendall D. Gott, *Mobility, Vigilance, and Justice: The US Army Constabulary in Germany, 1946-1953* (Army Command and General Staff College, Fort Leavenworth, KS Combat Studies Inst., 2005), 1.



police force as “the primary police authority in a disrupted and devastated country” for more than two years.<sup>25</sup> If the US military could set the conditions to establish this stability preemptively, then combat arms organizations could be preserved for conflicts that require the application of more lethal force.

This study contains an additional five sections. Section two is a literature review of scholarly journals, books, and classical military theories that communicate a need for further study on the employment of an expeditionary constabulary force designed to develop foreign police and to focus on the United States’ foreign policy support missions in Phase Zero. Section three presents the methodology applied for the research. Section four details the two case studies and answers the proposed research questions. Section five analyzes the information obtained from the research questions and the case studies and compares this data against the two proposed hypotheses. The final section presents a synopsis of the findings, provides future recommendations, and gives a conclusion.

#### Review of Literature

This section of the study examines the necessity for further research on expeditionary Military Police teams designed to train constabulary police in Phase Zero operations. Military theorists have suggested that the protection of a local populace is vital to the success of counterinsurgency operations. In most states, a police force provides security to local communities and legitimizes state governments by setting conditions that are conducive to the establishment of rule-of-law. Military officials and statesmen have illustrated a tendency to rely on traditional armies as a means to deter terrorism. Accordingly, the aim of this study is to provide a thorough explanation of how constabulary police can more effectively serve societies and avert violence.<sup>26</sup>

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<sup>25</sup>Ibid, 30.

<sup>26</sup>Eugenia K. Guilmartin. “The Paradox of Police Development: Community Policing for High-Threat Environments,” (Naval War College, Newport, R.I., 27 March 2013), 1.

No formal study on the employment of US Army Military Police as trainers of foreign security forces in Phase Zero operations exists. Consequently, this report seeks to examine the feasibility of combining expeditionary Military Police (MP) forces with Special Operations Forces (SOF) and US Department of State entities in Phase Zero operations to train host nation constabulary police before states fail. The following is a review of the literature pertinent to the study and includes classical military theory on counterinsurgency, police operations, and the characteristics of a constabulary police force. This section also examines Geoff Demarest's theory of an expeditionary police service and the concept of the convergence of SOF and law enforcement in Phase Zero operations. This evaluation begins with analysis of David Galula's classical military theory on counterinsurgency and the role of a state's police in averting violence.

Formal study on the correlation between counterinsurgency and police operations began in the early 1960s. Following the French conflict with Algerian insurgency networks, classical military theorist David Galula identified a police force as the "eye and arm of the government."<sup>27</sup> He suggests that in counterinsurgency operations, the primary purpose of a police force is to identify and arrest guerillas that consistently threaten violence. A legitimate police force offers a sense of protection to local citizens who constantly feel unsafe. More importantly, the validity of security forces generates trust and a symbiotic relationship between the police and the populace. This dynamic facilitates the timely gathering of information on existing insurgent networks. Intelligence collection is critical to the extraction of insurgent political agents and "does not end when the political cells have been destroyed."<sup>28</sup> Through persistent engagement with the populace, police can identify and eradicate insurgent networks quickly and peacefully "with a

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<sup>27</sup>David Galula. *Counterinsurgency Warfare: Theory and Practice* (Westport, CT: Praeger Security International, 1964), 20.

<sup>28</sup> Ibid, 62.

minimum of errors and bitterness.”<sup>29</sup> Another factor that is vital to successful counterinsurgency police operations is the ratio of police to local nationals.

The numerical superiority of a police force is of paramount importance in counterinsurgency operations. Galula declares that police forces’ efficiency “depends on their numerical superiority”<sup>30</sup> and suggests that the inferior size of the Algerian police force in 1954 caused these security forces to become overwhelmed by insurgent networks.<sup>31</sup> Conversely, classical counterinsurgent theorist Roger Trinquier suggests that the numerical inferiority that is characteristic of police forces detracts from their efficiency in fighting insurgency. In *Modern Warfare: A French View of Counterinsurgency*, Trinquier postulates that police are ill suited to fight insurgency and suggests that traditional armies are better postured to fill this role.<sup>32</sup>

Analogous to Galula’s theory on counterinsurgency, Trinquier identifies the control of the populace as the goal of modern warfare. In doing so, he declares that terrorists resemble armies and that their primary weapon is terrorism. “The terrorist has become a soldier, like the aviator or the infantryman.”<sup>33</sup> Terrorists gain control of local communities by employing the weapon of episodic violence. The end result is a population that lives in constant fear and eventually capitulates to the insurgents’ cause. “In the presence of this permanent danger surrounding him, he has the depressing feeling of being an isolated and defenseless target.”<sup>34</sup> This

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<sup>29</sup>David Galula. *Counterinsurgency Warfare: Theory and Practice* (Westport, CT: Praeger Security International, 1964), 86.

<sup>30</sup> Ibid, 20.

<sup>31</sup> Ibid.

<sup>32</sup>Roger Trinquier. *Modern Warfare: A French View of Counterinsurgency*. (London, UK: Pall Mall Press, 1964), 18-19.

<sup>33</sup> Ibid, 20.

<sup>34</sup> Ibid, 16.

hopelessness is prelude to a loss of faith in the government and police forces that are designed to furnish public safety and protection.<sup>35</sup>

When an individual loses confidence in the capabilities of local police and public authorities, he is likely to seek solace in insurgents' networks and to support their movement. "He loses confidence in the state whose inherent mission it is to guarantee his safety. He is more and more drawn to the side of the terrorists, who alone are able to protect him."<sup>36</sup> Central to Trinquier's theory of insurgency is the notion that police forces are simply too small to contain terrorists and other non-state actors. He references France's experience in Algiers in 1957 and suggests that the army was the only force that was large and formidable enough to contain insurgent activity.

Trinquier states that sparsely inhabited rural areas are the most vulnerable territories, due to small or nonexistent police forces. He further asserts that police forces in larger cities are also ineffective and that they can only "partly restrict the action of the terrorists and delay their complete control of the populace."<sup>37</sup> This theorist proposes that an army is the force that can adequately deter terrorism due to their numerical superiority and the premise that an insurgent is a soldier, not a criminal. In describing the role of the police, Trinquier suggests that the "organization's functioning will be slow and difficult."<sup>38</sup> Conversely, massive and lethal militaries may be able to stop terrorism completely, "as in Algiers in 1957."<sup>39</sup> Trinquier asserts that an army is the most effective means to counter terrorism, whereas Galula suggests that a police force is the most efficient vehicle to contain violence and to gain the support of a populace. The

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<sup>35</sup>Ibid, 17.

<sup>36</sup>Roger Trinquier, *Modern Warfare: A French View of Counterinsurgency*. (London, UK: Pall Mall Press, 1964), 20.

<sup>37</sup>Ibid, 18.

<sup>38</sup>Ibid.

<sup>39</sup>Ibid.

combination of these two classical counterinsurgency theories is a hybrid military-police force characterized by mass, selective lethality, and persistent engagement with local communities. This organization is a constabulary police force.

The United Nations identifies a constabulary force as a military organization that conducts police duties in local communities.<sup>40</sup> This type of police organization retains a “military status”<sup>41</sup> and has the ability to deter potentially dangerous situations via conflict management and persistent interaction, as opposed to the immediate application of military force.<sup>42</sup> Although traditional armies have the ability to destroy aggressive adversaries with lethal force, military forces do not receive training on typical law enforcement tasks to include crowd and riot control, the collection and processing of evidence, interviewing techniques, and corrections and detainee operations.<sup>43</sup> Constabulary forces furnish a conduit between traditional military organizations and police forces; these combined skill sets can both deter latent insurgencies and facilitate stability once security threats have been removed. An organization of this nature understands the impact that lethality has on international relations. In *The Professional Soldier*, sociologist Morris Janowitz argues for the necessity of a constabulary force during the Cold War, which was a “no war-no peace” period that required limited applications of force in facilitating the United States’ strategic goals.<sup>44</sup>

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<sup>40</sup>*Peacekeeping Policing: Participation of International Police in Peace Operations. Glossary*, 2008 (United Nations Mission in Georgia), 92.

<sup>41</sup>David T. Armitage and Anne M. Moisan, *Constabulary Forces and Postconflict Transition: The Euro-Atlantic Dimension* (Institute for National Strategic Studies, National Defense University, 2005), 2.

<sup>42</sup>*Ibid.*

<sup>43</sup>David T. Armitage and Anne M. Moisan. *Constabulary Forces and Postconflict Transition: The Euro-Atlantic Dimension* (Institute for National Strategic Studies, National Defense University, 2005), 3.

<sup>44</sup>Suzanne C. Nielsen, “Civil-Military Relations Theory and Military Effectiveness,” *Public Administration and Management-New York*-137 (2008), 67.

Janowitz presents a theory of international relations predicated on the notion of pragmatism. In *The Professional Soldier*, he postulates that the US military should employ a separate constabulary force to carry out peacekeeping missions with limited force while pursuing international relations. Janowitz declares that the military becomes a constabulary force “when it is continuously prepared to act, committed to the limited use of force, and seeks viable international relations, rather than victory.”<sup>45</sup> Recognizing that there was a distinct difference between low intensity and high intensity conflict, he asserts that a constabulary force is better suited for low intensity warfare and peacekeeping missions due to the professionalism that is inherent to policing.<sup>46</sup> Unlike a domestic police outfit, the constabulary force has the capacity to transform into a traditional military outfit capable of applying lethal force, which is the manifestation of combining Gallula’s and Trinquier’s theories. Although Janowitz communicates a sound theory for constabulary operations, he does not provide an optimal composition for this force. Geoffrey Demarest articulates a vision for a US military constabulary force in the military journal titled “Expeditionary Police Service.”

In “Expeditionary Police Service,” Demarest proposes a model that calls for a divisional structure that merges traditional military proficiency with intelligence operations, humanitarian aid expertise, and physical security. This notional entity would be assigned as a “sub-service under the Department of the Army,”<sup>47</sup> with a relationship analogous to that between the Marine Corps and the United States Navy. This bifurcation of services would provide the Department of Defense with a distinction between war fighting requirements that require the employment of traditional combat units and political and foreign policy goals that require more non kinetic

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<sup>45</sup>Morris Janowitz, *The Professional Soldier: A Social and Political Portrait* (New York, NY: The Free Press, 1960), 418.

<sup>46</sup>Ibid, 419.

<sup>47</sup>Geoffrey Demarest, “Expeditionary Police Service,” *Military Review* 73 (1993), 2.

means.<sup>48</sup> The constabulary model would also have the capacity to deter immediate security threats in a Phase Zero environment, due to a combination of military and law enforcement skills.

This notional division would consist of five brigades: “military police (MP), military intelligence (MI), engineer, aviation, and combined arms combat (CAC).”<sup>49</sup> The MP and MI assets in this theoretical organization would have a symbiotic relationship; military intelligence engines would constantly take measures to identify and locate insurgent and criminal networks that MP assets would target in routine patrols. More importantly, MI teams would develop “overt community intelligence support”<sup>50</sup> networks, which would foster a positive working relationship between the local populace and the police that promotes security and eventual stability. Engineer teams would further promote this trust and legitimacy by constructing improved roads, airfields, sewage systems, and infrastructure. Although this constabulary concept would focus on establishing legitimacy of host nation police forces and government, it would require organic firepower assets as well.

Theoretically, this type of a military organization should also include a motorized infantry battalion, “a battalion of airborne/air assault infantry, a battery of artillery, and an air cavalry squadron.”<sup>51</sup> The constabulary unit would also require organic air defense artillery assets to deter potential missile threats.<sup>52</sup> These means would furnish this expeditionary police force with the ability to deter low-level security threats, while focusing on building host nation constabulary capacity by filling “the gap between routine police activities and military combat

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<sup>48</sup>Ibid.

<sup>49</sup>Ibid, 4.

<sup>50</sup>Ibid, 4-5.

<sup>51</sup>Ibid, 5.

<sup>52</sup>Ibid.

situations.”<sup>53</sup> In the face of a numerically superior and organized enemy, however, this “utility division formula is inherently inadequate.”<sup>54</sup> The US military has attempted to emulate this ideology by attempting to rebuild police forces in failed states at the end of the major combat operations. A more efficient approach to counterinsurgency is “to prevent insurgencies from arising in the first place.”<sup>55</sup> The US military attempts to accomplish this feat with SOF and intergovernmental agencies in Phase Zero operations.

In *Going Big by Getting Small*, Brian Petit identifies Phase Zero as “a pre-crisis environment in which state relations are peaceful and routine.”<sup>56</sup> These conditions are conducive to building host nation police capacities and infrastructure and to preventing conflict through persistent engagement. The ultimate purpose of Phase Zero operations coupled with constant host nation interaction is to prevent war. The primary players in Phase Zero consist of SOF, the Department of State, the Department of Justice and other intergovernmental agencies.

The Department of State (DoS) is the lead proponent for diplomacy during these peacetime operations and seeks to promote national policy and interests through dialogue and negotiation.<sup>57</sup> SOF is the main effort for security cooperation, which aims to build “allied and military capabilities”<sup>58</sup> and to build lasting relationships with host nation armies and security forces. The primary tasks associated with US Security Cooperation include security assistance

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<sup>53</sup>Ibid, 6.

<sup>54</sup>Ibid.

<sup>55</sup>Nora Bensahel, "Preventing insurgencies after major combat operations," *Defence Studies* 6, no. 3 (2006), 279.

<sup>56</sup>Brian S. Petit, *Going Big by Getting Small: The Application of Operational Art By Special Operations in Phase Zero* (Denver, CO: Outskirts Press, Inc, 2013), 2.

<sup>57</sup>Ibid, 56.

<sup>58</sup>Ibid, 107.



and military training, education and exercises.<sup>59</sup> SOF operators constantly find themselves training host nation police forces on law enforcement protocol in Phase Zero operations. However, these forces often lack the practice law enforcement experience and background that is necessary to train foreign security forces. When “asked about any police techniques training they had received prior to arrival in country, they usually responded that they had none.”<sup>60</sup>

Non-lethal warfare scholar John B. Alexander suggests that modern conflict characterized by counterinsurgency inevitably results in convergence between SOF and law enforcement agencies. The central thesis of *Convergence: Special Operations Forces and Civilian Law Enforcement* is that if this type of warfare continues, SOF should receive additional training on the nature of domestic threats and law enforcement capabilities and technicalities. This practice would prepare SOF to assume the police centric missions that they encounter and would arm law enforcement entities with an improved understanding of SOF tactics and techniques and “potentially facilitate a basis for future cooperation and mutual support.”<sup>61</sup> A constabulary force that has both military and law enforcement expertise would serve as an effective mechanism in merging these radically different missions.

Terrorist cells will continue to threaten international security, and SOF and other actors in Phase Zero operations will need to demonstrate proficiency in law enforcement techniques and policing protocol to isolate insurgents and to protect local communities.<sup>62</sup> At same time, these entities will need to maintain proficiency in basic military skills in order to remove any immediate security threats that may emerge in a Phase Zero environment. Accordingly, this report upholds the hypothesis that Geoffrey Demarest’s model for a self-sustaining expeditionary

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<sup>59</sup>Ibid.

<sup>60</sup>John B. Alexander, *Convergence: Special Operations Forces and Civilian Law Enforcement* No. JSOU-10-6 (Joint Special Operations Univ. Hurlburt Field, FL, 2010), 2.

<sup>61</sup>Ibid, 1-2.

<sup>62</sup>Ibid, 87.

police force with Military Police as the primary trainers of constabulary forces should be employed in conjunction with SOF and intergovernmental agencies in Phase Zero operations.

### Methodology

The purpose of this report is to analyze the feasibility of Geoffrey Demarest's expeditionary model consisting of a hybrid police-military service that would serve as a tool for implementing foreign policy goals. Creating expeditionary Military Police teams and aligning these assets with SOF and the Department of State in Phase Zero would furnish the proficiency in law and order operations. This efficiency would enable host nation constabulary forces to deter terrorism before a state fails and requires the deployment of traditional combat units. In order to accomplish this task, this study will test two hypotheses to determine the validity of Demarest's model by analyzing two case studies: the employment of US Military constabulary forces in post World War II Germany in 1945 and the role of the Australian Federal Police (AFP) in training foreign police departments as an expeditionary constabulary police force.<sup>63</sup> In addition to an introduction, this section consists of four additional parts: case study selection reasoning, the criteria for case study evaluation, data collection methods, and a summary.

The two case studies evaluated by this monograph are separate accounts of two different states training host nation constabulary forces. One case study focuses on the US military's role in training host nation constabulary forces in a post conflict scenario in Germany after WWII. The second case study analyzes the Australian Federal Police (AFP) training police in both pre-combat and post-combat environments.

The case study on the US military focuses on their role in building constabulary forces after armed conflict. Although this post-combat approach does not fit the parameters of Demarest's expeditionary model, this case study offers an outlook on the composition and

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<sup>63</sup>Kendall D. Gott, *Mobility, Vigilance, and Justice: The US Army Constabulary in Germany, 1946-1953* (Army Command and General Staff College: Fort Leavenworth, KS Combat Studies Inst., 2005).

capabilities of a previous US Army constabulary force. More importantly, this historical vignette offers an assessment of the US military's effectiveness in building constabulary forces in the past. By analyzing both success and failure, the US military can seek to emulate successful past practices from the post WWII Germany experience, and they can derive lessons from when Australia has had to intervene in failed or failing states and has attempted to establish legitimate law and order operations as an expeditionary constabulary force.

Australia deployed an expeditionary police force to East Timor in 1999 to develop law enforcement capabilities to quell the violence that resulted from the "vote for independence from Indonesia."<sup>64</sup> In 2003, Australia deployed expeditionary forces to the Solomon Islands to prevent the failure of a state. At this time, the Solomon Islands was experiencing a growing civil war between its two tribal groups, the Malaitans and the Gwals. Perceiving an increase in violence and subsequent loss of government legitimacy, Australia deployed expeditionary forces "to assist in the Restoration of Law and Order and Security."<sup>65</sup> Years later, the AFP re-intervened in East Timor, when power struggles within the Timorese Defense Forces appeared to be prelude to a civil war in 2006.<sup>66</sup> This particular case study on Australia training host nation police as a constabulary force in East Timor and in the Solomon Islands offers the closest parallel to notional expeditionary Military Police training foreign police in a Phase Zero environment.

This monograph will evaluate the aforementioned case studies by employing the methodology codified by Alexander B. George and Andrew Bennett in *Case Studies and Theory Development in the Social Sciences*. This approach prescribes a structured evaluation of case studies driven by research questions derived from proposed hypotheses and theories. This

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<sup>64</sup>Michael Pricor, *Regional Solutions for Regional Problems: East Timor and Solomon Islands* (Army War College: Carlisle Barracks, PA: Peacekeeping and Stability Operations Institute, 2012), 2.

<sup>65</sup>Ibid, 17.

<sup>66</sup>Ibid, 2.

practice also stipulates that the case studies evaluated be “focused”<sup>67</sup> with a “specific research objective.”<sup>68</sup> In applying this ideology, this report will compare instances of the US military training foreign constabulary forces with Australia training host nation police and discern which of the two state models is more conducive to defeating terrorism.

This study tests two hypotheses through two case studies, one which examines the US military training constabulary forces after major combat operations in Germany and one study that evaluates Australia training foreign police prior to and after armed conflict. The hypotheses evaluated are as follows: if a struggling state has a professionalized constabulary police force, then host nation governments are able to offer local populace security and safety, and if Geographic Combatant Commanders (GCCs) employ Military Police as the primary trainers of host nation constabulary police forces, then they will have increased options for the employment of coercive forces from a distance during Phase Zero operations. These hypotheses are analyzed through five focused research questions.

The first question evaluates the states in which constabulary forces have been able to successfully deter terrorism and insurgency. The comparison of the two case studies will reveal the characteristics and composition of the forces that were able to contain violence in both pre and post combat scenarios. Moreover, this question will evaluate the correlation between effective deterrence of terrorism and violence as well as the scope of the US military’s and Australia’s involvement in training or establishing these security forces. The second question addresses the composition of a typical constabulary force, which the report will discern via analysis of the case studies.

The third question asks what the composition of an expeditionary Military Police model proposed by Geoffrey Demarest would resemble when affiliated with a current US Military

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<sup>67</sup>Alexander L. George and Andrew Bennett, *Case Studies and Theory Development in the Social Sciences* (Cambridge, Mass.: The MIT Press, 2005), 70.

<sup>68</sup>Ibid.

Regionally Aligned Force (RAF). These case studies will offer a basis for comparison by revealing the historical composition of US Constabulary Forces in post WWII Germany as well as the composition of the Australian Federal Police (AFP) units that trained security forces in East Timor and in the Solomon Islands.

The final two questions address the constraints imposed by the Foreign Assistance Act of 1974 as well as the benefits afforded to Geographic Combatant Commanders (GCCs) by the employment of expeditionary Military Police as the primary trainers of foreign constabulary forces in Phase Zero operations. The Foreign Assistance Act of 1974 currently restricts the training of host nation police forces.<sup>69</sup> The case studies will reveal the effects of the US military and Australia training constabulary forces and possibly offer a basis for modifying the law in order to enhance the current US military's ability to offer assistance to states recovering from conflict or struggling with internal security threats. In addition to the evaluation and comparison of the two case studies, this question will require further evaluation of the historical circumstances that led to the establishment of the law. The benefits of employing Military Police as trainers of constabulary forces in Phase Zero can only be assessed in a limited capacity by evaluation of historical case studies.

This section identified the composition of the monograph's methodology and revealed its correlation with the primary purpose of the study. The report will test the feasibility of Geoffrey Demarest's expeditionary police model by evaluating the potential effectiveness of the US military training host nation constabulary forces through focused research questions. These questions and subsequent comparison of two states' police training practices will furnish a theoretical foundation for the composition of a hybrid police-military model that can be employed in conjunction with SOF and DoS in Phase Zero operations.

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<sup>69</sup>David H. Bayley, *Democratizing the Police Abroad: What To Do and How To Do It* (US Department of Justice, Office of Justice Programs, National Institute of Justice, 2001), 3.

## Case Studies

Each case study contains of five components. The first part is an introduction to each case and a justification for the evaluation of the cases. The second part contains an overview of each case study beginning with the historical context of the US military training constabulary forces in post WWII Germany and the Australian Federal Police training police in East Timor and in the Solomon Islands. The third part contains a thorough analysis of each case guided by the five research questions identified in the introduction of this study. The fourth component evaluates the answers obtained from the research questions against two hypotheses. This analysis will either support or repudiate the viability of Demarest's expeditionary hybrid military-police model. The final section of each case study will contain a summary of the findings.

### US Constabulary in Germany (1945)

The US Military's establishment of a constabulary force in post-World War II Germany in 1945 offers a viable case study to assess the main premise of this monograph. Since the end of WWII, the US military's role in peacekeeping and stability operations has increased exponentially.<sup>70</sup> These actions, characterized by building host nation militaries, police and government infrastructure preserve national interests by preventing state failure and subsequent acts of terror or violence. "Perhaps the most critical function in most current peace operations is the establishment of 'rule of law' in which the conduct of constabulary operations are critical."<sup>71</sup> Currently, the US government focuses on training foreign militaries and deterring external threats. "However, the U.S. Government does not possess a dedicated corps capable of creating or assisting partner-nation police forces addressing their internal security concerns."<sup>72</sup> The lack of

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<sup>70</sup>Colleen L. McGuire, *Constabulary Training for a Full-Spectrum Force* (Army War College: Carlisle Barracks, PA, 2001), 1.

<sup>71</sup>Ibid.

<sup>72</sup> Robert A. Karmazin, *Mounting a US Civil-Military Constabulary Police Force* (Army War College: Carlisle Barracks, PA, 2010), Abstract.

persistent engagement and consequential failed foreign governments has a detrimental effect on US National Security.<sup>73</sup> After WWII, the U.S. government found itself in a similar predicament.

Following major combat operations, Germany was in a state of chaos characterized by the absence of legitimate government infrastructure, a failed economy and many displaced civilians. General Eisenhower decided that local nationals did not have the wherewithal to establish and maintain rule of law in a volatile Germany.<sup>74</sup> At the same time, the American public was exhausted from years of armed conflict and was not in a position to support another deployment of major combat units to secure a broken state. Consequently, the concept of a “super military police”<sup>75</sup> force evolved from these challenges.

After the Germans had surrendered to the Allies, and the United States government assumed responsibility for enforcing the terms of Operation Eclipse.<sup>76</sup> Per Supreme Headquarters Allied Expeditionary Force (SHAEF), Operation Eclipse and the subsequent the Joint Chiefs of Staff (JCS) Directive 1067 made the United States responsible for the control of the military government in the American Zone of Occupation consisting of more than 40,000 square miles of territory.<sup>77</sup>

In addition to delegating responsibility for securing the zone of occupation, JCS Directive 1067 also prohibited the Allied troops from fraternizing with the German local nationals and banned “mingling with Germans upon terms of friendliness, familiarity, or

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<sup>73</sup>Ibid.

<sup>74</sup>Colleen L. McGuire, *Constabulary Training for a Full-Spectrum Force* (Army War College: Carlisle Barracks, PA, 2001), 5.

<sup>75</sup>Ibid.

<sup>76</sup>Kendall D. Gott, *Mobility, Vigilance, and Justice: The US Army Constabulary in Germany, 1946-1953* (Army Command and General Staff College: Fort Leavenworth, KS, Combat Studies Inst., 2005), 6.

<sup>77</sup>Ibid, 3-6.

intimacy, whether individually or in groups, in official or unofficial dealings.”<sup>78</sup> As a result of these restrictive terms and the lack of manpower resulting from the rapid redeployment of over two million troops, military planners determined that an expeditionary mobile force of professional soldiers would be necessary to establish an American presence.<sup>79</sup> This force would restore law and order and legitimacy of the state in the zone of occupation.

Planners later determined that cavalry units would best fill the role of a constabulary force. Cavalry soldiers typically operated in small autonomous teams, and these men were comparatively more seasoned and mature than most combat arms soldiers.<sup>80</sup> These soldiers would assume responsibility for securing the zone of occupation, which consisted of southern Germany, Berlin, the city of Bremerhaven, and the American zone in Austria. From the onset of this occupation, there were many challenges associated with enforcing the borders of the Soviet and British boundaries as well as the international boundary of Czechoslovakia. Many refugees were trying to return to their previous homes, while actively avoiding potential retribution in the Soviet zone of occupation. Furthermore, there were no approved travel zones between the US and Soviet sectors.<sup>81</sup>

To counter this friction, the US Constabulary would be responsible for patrolling these zones of occupation, searching and apprehending wanted individuals, recovering contraband, intelligence gathering, and liaison duties.<sup>82</sup> Since the vast majority of these cavalry soldiers had

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<sup>78</sup>Ibid, 4.

<sup>79</sup> Lloyd Miles, *Back to the Future: Constabulary Forces Revisited* (Army War College: Carlisle Barracks, PA, 2002), 7.

<sup>80</sup>Colleen L. McGuire, *Constabulary Training for a Full-Spectrum Force* (Army War College: Carlisle Barracks, PA, 2001), 5.

<sup>81</sup>Kendall D. Gott, *Mobility, Vigilance, and Justice: The US Army Constabulary in Germany, 1946-1953* (Army Command and General Staff College: Fort Leavenworth, KS, Combat Studies Inst., 2005), 7-8.

<sup>82</sup>Colleen L. McGuire, *Constabulary Training for a Full-Spectrum Force* (Army War College: Carlisle Barracks, PA, 2001), 5-6.



no formal background in law enforcement, they participated in a comprehensive eight-week training program prior to assuming constabulary duties.

After MG Ernest Harmon assumed command of the US Constabulary Force, he and his planners established a formal training program in Sonthofen, Germany. This training agenda consisted of three formal phases, which began with instructor training, individual law enforcement tasks, and culminated with formal on-the-job training.<sup>83</sup> The individual law enforcement tasks on which these soldiers trained included making arrests, criminology, evidence collection, interview techniques, the processing of statements, laws of arrest, traffic control, and border control. At the tactical level, they trained on riot control techniques, custody and control of prisoners, area security operations, the employment of air assets, and formal constabulary weapons training.<sup>84</sup> The curriculum also focused on geography, politics, foreign language skills, and self-defense techniques. The US Constabulary School began to formally graduate soldiers in the spring of 1946 and maintained high standards throughout its existence by “selecting personnel of high physical and mental standards and purging incompetence as much as possible.”<sup>85</sup> This organization would maintain its reputation as an elite unit of professional soldiers due to the strategic sensitivity of its mission.

The first research question used to assess this case study asks in what states have constabulary forces been effective in defeating insurgency and terrorism. The employment of a formal constabulary force in post World War II Germany effectively deterred both internal and

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<sup>83</sup>Kendall D. Gott, *Mobility, Vigilance, and Justice: The US Army Constabulary in Germany, 1946-1953* (Army Command and General Staff College: Fort Leavenworth, KS, Combat Studies Inst., 2005), 15.

<sup>84</sup>Colleen L. McGuire, *Constabulary Training for a Full-Spectrum Force* (Army War College: Carlisle Barracks, PA, 2001), 6.

<sup>85</sup>Kendall D. Gott, *Mobility, Vigilance, and Justice: The US Army Constabulary in Germany, 1946-1953* (Army Command and General Staff College: Fort Leavenworth, KS, Combat Studies Inst., 2005), 16.

external violence and conflict through patrols conducted in conjunction with German police forces, searches and seizures, and border control operations. The US Constabulary were instrumental in helping the Germans to establish viable law and order operations, border security, and subsequent rule of law before they were prepared to “reconstruct their country.”<sup>86</sup> Prior to the end of WWII, the United States had a significant degree of experience in employing constabulary assets to contain violence. After the Spanish-American War in 1898, the US Military developed constabulary forces in the Philippines and in Latin American states including Panama, Haiti, Nicaragua, and Cuba.<sup>87</sup>

As a new colonial power, the United States was responsible for maintaining internal security in the Philippines and for countering prolonged instability in Central America induced by the opening of the Panama Canal and the increase of American bases and territories.<sup>88</sup> In all states but the Philippines, however, US constabulary forces were not as effective in deterring violence as they had been in post WWII Germany. Most of the aforementioned states eventually fell under dictatorial rule, and the US military had to intervene again on numerous occasions, with both conventional military and proxy force, to quell internal unrest.<sup>89</sup> In the Philippines, however, the United States had engaged with the state’s police forces more persistently, as they did in Germany after WWII. “The key was the control the United States as the ruling colonial power, had over the islands and the expectation that such control would continue for an indefinite

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<sup>86</sup>Ibid, 30.

<sup>87</sup>Richard L. Millett, *Searching for Stability: The US Development of Constabulary Forces in Latin America and the Philippines* (Army Combined Arms Center: Fort Leavenworth KS, 2010), 1.

<sup>88</sup>Ibid.

<sup>89</sup>Ibid, 123.

period.”<sup>90</sup> A similar extended presence in post WWII Germany produced the same success in containing violence after a major armed conflict.

At the end of major combat operations, the US Military spent more than one year training and equipping constabulary forces in Germany. “Eventually, German policemen, carefully vetted, accompanied U.S. constabulary patrols.”<sup>91</sup> This long-term investment and persistent engagement quelled the resurgence of violence after armed conflict by posturing the Germans to establish law and order and internal and border security.<sup>92</sup> The participatory police partnership also resulted in a reduced threat of a Nazi resurgence and most of displaced personnel (DPs) being resettled in the zone of occupation. The US Constabulary movement had been so effective in containing post war violence in Germany that in 1948, most of the constabulary forces assumed responsibility for the combat missions designed to provide security for the Berlin Airlift.<sup>93</sup> Due to the risk of a Soviet invasion and reduced internal security threats, “[F]orces were continually and gradually cut from the organization to cross level into existing combat formations.”<sup>94</sup> The organization of the constabulary effort also played an important role in containing violence after armed conflict.

The next research question asks about the composition of a typical constabulary force. The organization of the US Constabulary employed in post WWII Germany furnishes a model that is worthy of emulation in some facets. Comprised of approximately 38,000 soldiers, the original US Constabulary forces in Germany sought to replicate the composition of a traditional cavalry unit. In order to facilitate this vision, the US military decided that MG Ernest N. Harmon,

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<sup>90</sup>Ibid, 7.

<sup>91</sup>Colleen L. McGuire, *Constabulary Training for a Full-Spectrum Force* (Army War College: Carlisle Barracks, PA, 2001), 5.

<sup>92</sup>Kendall D. Gott, *Mobility, Vigilance, and Justice: The US Army Constabulary in Germany, 1946-1953* (Army Command and General Staff College: Fort Leavenworth, KS, Combat Studies Inst., 2005), 29-30.

<sup>93</sup>Ibid, 27.

<sup>94</sup>Ibid.

who had an extensive background in Armor operations, would command this new organization.<sup>95</sup> Harmon task organized all available soldiers into “three brigades, nine regiments, 27 squadrons, and 144 troops as well as headquarters and service units.”<sup>96</sup> (See Figure 1) This structure was not representative of a typical US Army organization that existed at this time. The division was the primary maneuver unit of the US military after WWII, and this echelon consisted of regiments and companies as subordinate entities respectively.<sup>97</sup> In the US Constabulary, however, the troop was the primary vehicle employed for patrolling and conducting border security operations.

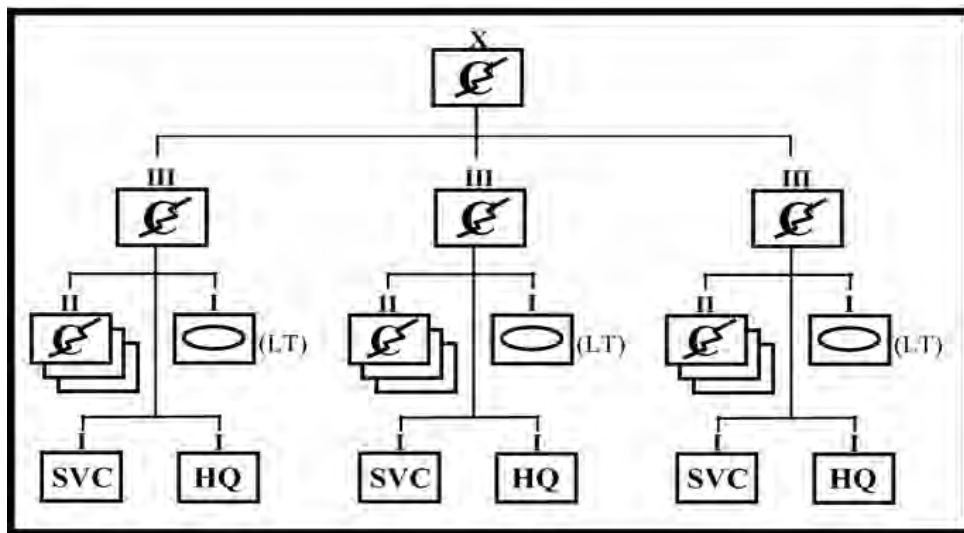


Figure 1: US Constabulary Brigade<sup>98</sup>

Source: Kendall D. Gott. *Mobility, Vigilance, and Justice: The US Army Constabulary in Germany, 1946-1953*. Army Command and General Staff College: Fort Leavenworth, KS, Combat Studies Inst., 2005.

<sup>95</sup>Lloyd Miles, *Back to the Future: Constabulary Forces Revisited* (Army War College: Carlisle Barracks, PA, 2002), 7.

<sup>96</sup>Kendall D. Gott, *Mobility, Vigilance, and Justice: The US Army Constabulary in Germany, 1946-1953* (Army Command and General Staff College: Fort Leavenworth, KS, Combat Studies Inst., 2005), 11.

<sup>97</sup>*Ibid.*

<sup>98</sup> *Ibid.*, 13.

As the primary maneuver force of the US Constabulary, the troop was subordinate to the squadron and was analogous to the mechanized cavalry model employed throughout WWII. This maneuver unit consisted of sections or teams that were assigned specific geographical patrolling responsibilities. These forces used light jeeps, horses, motorcycles, or armored vehicles for police operations, depending upon the terrain that existed in their respective areas of responsibility.<sup>99</sup> Each team also had a command vehicle armed with heavy weapons that could be employed in an emergency situation.<sup>100</sup> Additionally, each regiment had an organic headquarters and service unit, which allowed these units to sustain themselves independently and to exercise mission command over the troop units conducting operations in their zones of responsibility.<sup>101</sup> Unfortunately, however, this organization did not contain Military Police soldiers to fill the ranks of these troop units with subject matter expertise on law and order operations. The post WWII organizations converted into constabulary forces consisted of “armored infantry, field artillery, tank, tank destroyer, and antiaircraft battalions and cavalry squadrons.”<sup>102</sup> Although these combat arms forces offered increased firepower, maneuver, and lethality to the US Constabulary, they lacked the fundamental policing expertise that is vital to Geoff Demarest’s model of an expeditionary police force.

Although the US Constabulary was able to compensate for this deficiency through a comprehensive training program focused on law and order operations, the composition and equipment employed by the force was not conducive to public interaction and observation, which are integral parts of community policing. Specifically, even though the constabulary’s tanks and

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<sup>99</sup>Ibid, 12-13.

<sup>100</sup>Ibid, 12.

<sup>101</sup>Ibid, 11.

<sup>102</sup>Kendall D. Gott, *Mobility, Vigilance, and Justice: The US Army Constabulary in Germany, 1946-1953* (Army Command and General Staff College: Fort Leavenworth, KS, Combat Studies Inst., 2005), 12.

armored vehicles were an effective means for presenting force when necessary, they were “far less effective in countering black marketers or screening refugees along the border.”<sup>103</sup>

Furthermore, the outward appearance of an overly aggressive police unit was more likely to alienate the local populace, particularly in a post WWII Germany community recently plagued and tortured by Nazi dictatorship. A combination of the lethality and mobility specific to the US Constabulary in Germany and the expertise and practical experience of the Military Police soldiers prescribed in Demarest’s expeditionary police model would posture the US Military for intervention in states that are in danger of developing terrorist cells and criminal networks. This force composition is analyzed further by the third research question.

The third research question asks about the composition of an expeditionary Military Police team assigned to a Regionally Aligned Force (RAF). According to the US military doctrinal publication, *Military Police Operations*, the standard Military Police (MP) maneuver unit is a platoon consisting of 36 soldiers broken down into three subordinate squads with four three-man teams. As a combat multiplier, a MP platoon is traditionally aligned with a Heavy or an Infantry Brigade Combat Team (BCT) or is assigned to a combat support Military Police Company.<sup>104</sup> Platoons may remain organic to a MP Company comprised of three platoons, depending on the conditions of an assigned mission.<sup>105</sup> When assigned to an IBCT or a HBCT, MP platoons conduct a myriad of missions that support combined arms operations. These tasks include convoy security, local security and response forces, personnel security details, the escort and guarding of detainees, movement and security of dislocated civilians, and law and order and police intelligence operations. When MP Platoons assume this role, they remain dependent on the

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<sup>103</sup>Ibid, 28.

<sup>104</sup>United States Army. Field Manual 3-39, *Military Police Operations* (Washington, DC: Government Printing Office, February, 2010), B-13-14.

<sup>105</sup>Ibid, B-14.

parent IBCT or HBCT for human resources as well as quartermaster support, as the individual platoon is not a self-sustaining entity.<sup>106</sup>

When a MP Company retains operational control (OPCON) of all three of its MP Platoons, the platoons receive administrative, logistical, and communications support from this organic formation. The mission that a combat support MP Company assumes varies from the role of individual platoons assigned to BCTs, in that these maneuver entities assume responsibility for area security and response force capability for established movement corridors. Another mission that is exclusive to a combat support MP Company is security of ports, airfields, rails, or any other high value assets.

Whether a MP Platoon is supporting a traditional MP Company or a BCT, this element performs five critical core functions as a “flexible, versatile, lethal, and nonlethal economy of force organization.”<sup>107</sup> These functions are: Law and Order Operations, Police Intelligence Operations, Internment and Resettlement Operations, Maneuver and Mobility Support, and Area Security. These collective tasks provide Geographic Combatant Commanders (GCCs) with a variety of malleable options for employing MPs in support of each of the six war fighting functions. One of the mission essential tasks that falls under the MP function of law and order operations is performing host nation police training and support.<sup>108</sup> This role is vital to the execution of Demarest’s expeditionary police model and sets the conditions for persistent engagement with host nation police forces in Phase Zero operations.

Because host nation police training builds upon the critical skills required to perform law and order operations, Military Police have the ability to provide police training and transition teams designed to educate foreign police on law enforcement skills, “investigations, police station

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<sup>106</sup>Ibid, B-13.

<sup>107</sup>United States Army. Field Manual 3-39, *Military Police Operations* (Washington, DC: Government Printing Office, February, 2010), 3-2.

<sup>108</sup>Ibid.

operations, and senior police leader skills.”<sup>109</sup> These teams also possess technical expertise on “counterdrug operations, forensics, or advanced investigative techniques based on local needs.”<sup>110</sup> According to US Military Police doctrine, the successful execution of a host nation police training program requires consistency and synchronicity with a GCC’s intent and directives for training and the ability to sustain itself. Geoffrey Demarest’s expeditionary constabulary police model provides an ideal vehicle for MP Platoons to serve as a “first-line counter subversive tool.”<sup>111</sup>

Demarest’s expeditionary police force uses the concept of an Army Division that retains focus on extended engagement in regional areas of interest. Synonymous with US Military Police doctrine, this utility division would provide unity of command and pre-determined training objectives in specific geographic areas of interest.<sup>112</sup> This utility division would consist of five brigades: Military Police, Military Intelligence, Engineer, Aviation, and combined arms combat, which would provide the protection analogous to that of the armor and cavalry forces assigned to constabulary forces in Germany after WWII. Demarest’s model would also contain a hospital and organic communications capabilities. According to Demarest’s design methodology, police and intelligence headquarters teams would have the ability to immediately deploy overseas with organic firepower to defend itself and to counter external threats.<sup>113</sup> Essentially, the MP Platoon aligned with a MI Team, Engineer assets and a combined arms team would offer a readily deployable platform that would target host nations in danger of developing terrorism or criminal

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<sup>109</sup>United States Army. Field Manual 3-39, *Military Police Operations* (Washington, DC: Government Printing Office, February, 2010), 3-7.

<sup>110</sup>*Ibid.*

<sup>111</sup>Geoffrey Demarest, “Expeditionary Police Service,” *Military Review* 73 (1993), 4.

<sup>112</sup>*Ibid.*, 3.

<sup>113</sup>*Ibid.*, 3-6.



networks. In doing so, the 36-man MP Platoon would focus primarily on joint patrolling, interrogation of prisoners, physical security operations, and criminal investigation protocol.

In employing this operational approach to combating terrorism in a Phase Zero environment, “[T]he division command would always be in position to view the interrelationships and costs of all deployments and set priorities for future engagements.”<sup>114</sup> This flexibility would posture the US military to respond to a myriad of emerging threats immediately and consistently. Although US military doctrine stipulates that Military Police assets need to be prepared to assume the role as the primary trainers of host nation civilian police forces depending on the operational environment, legal constraints prevent MPs from assuming this lead role in security forces training in Phase Zero operations.

The fourth research question examines the constraints of the Foreign Assistance Act of 1974 with regard to training foreign police forces. The study further analyzes the exceptions that have been applied to this law to facilitate the United States offering assistance to police forces in states recovering from conflict. Between 1973 and 1974, the US Congress passed legislation prohibiting US assistance to foreign police forces and prisons. When this legislation originated in December of 1973, the resulting law prohibited using Foreign Assistance Act funds to assist foreign police forces. This law was modified a year later in December of 1974, and the new legislation stipulated that US agencies, including the military, would not train foreign police.<sup>115</sup> This law was the outward manifestation of criticism regarding US assistance to foreign militaries and police forces that used “repressive tactics, including imprisonment, to suppress political opposition and dissent.”<sup>116</sup> The catalyst for this concern was US assistance to police in South

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<sup>114</sup>Geoffrey Demarest, “Expeditionary Police Service,” *Military Review* 73 (1993), 4.

<sup>115</sup>Comptroller General of the United States, *Stopping U.S. Assistance to Foreign Police and Prisons* (Washington, DC: Department of Defense and State Agency for International Development, 1976), 2, Accessed August 1, 2014, <http://archive.gao.gov/f0402/098291.pdf>.

<sup>116</sup>*Ibid.*

Vietnam between 1955 and 1974. The Vietnam ceasefire that occurred in January of 1973 required all US advisors to leave South Vietnam no later than March of 1973; shortly thereafter, the President signed the legislation “prohibiting use of Foreign Assistance Act funds for public safety projects, prisons, police organizations, and related activities in South Vietnam.”<sup>117</sup> The US military stopped rendering aid to police before South Vietnam fell to Communists. This Communist control was synonymous with the type of authoritarian regime that the US government refused to support. Under certain circumstances, however, exceptions have been applied to this law.

The United States has involved itself in several police assistance missions since the end of the Cold War. Accordingly, amendments have been applied to the Foreign Assistance Act of 1974. Specifically, “exceptions were made for the Federal Bureau of Investigations (FBI) and Drug Enforcement Agency (DEA), when training and assistance was related to their law enforcement missions.”<sup>118</sup> During the Cold War and the 1990s, the United States realized that training host nation police forces supported the expansion of democracy and promoted safe overseas economic transactions. Consequently, government officials applied more exceptions to this legislation. In doing so, the United States government exempted more states from the section 660 prohibition list and in 1996, officials modified section 660 “to permit assistance to civilian police forces in countries emerging from armed conflict.”<sup>119</sup> At this time, the United States joined with other states and the United Nations (U.N.) in reforming police forces in “failed states.”<sup>120</sup>

When the United States began to take a more proactive role in training and assisting

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<sup>117</sup>Ibid.

<sup>118</sup>David H. Bayley, *Democratizing the Police Abroad: What To Do and How To Do It* (US Department of Justice, Office of Justice Programs, National Institute of Justice, 2001), 3, Accessed 01 August 2014, <http://observatoriodeseguranca.org/files/bayley.pdf>.

<sup>119</sup>Ibid, 3-4.

<sup>120</sup>Ibid, 4.

police in failed states, the US military was not at the forefront of these operations. Presidential Decision Directive 71 (PDD-71) issued by President Bill Clinton on February of 2000 stipulated that the Department of State (DoS) would assume the lead in improving the United States' ability to train foreign police. DoS would accomplish this feat by deploying civilian police forces overseas and by forming partnerships with the Department of Justice and the United States Agency for International Development (USAID) to facilitate the establishment of rule of law, penal and judicial systems, while preserving human rights.<sup>121</sup> Traditional civilian law enforcement agencies, however, do not possess the same maneuver capabilities and security assets, as does a military organization.<sup>122</sup> This dichotomy can present an internal security gap, particularly in failed states where governments no longer exist and war criminals and insurgents are the dominant forces, since domestic police forces do not possess the same degree of lethality as combat arms organizations.<sup>123</sup> The deployment of expeditionary Military Police forces in failed states would furnish both the internal security and the law enforcement expertise necessary to build host nation police capacity and ultimately legitimate governance.

The final research question asks about the benefits of developing effective constabulary forces with Military Police in Phase Zero. This analysis also examines whether or not this approach offers Geographic Combatant Commanders (GCCs) increased flexibility with regard to the employment of maneuver units and SOF elements. One of the primary objectives of the US Army Military Police Force 2025 Strategic Plan is partner interoperability further characterized by building partner capacity and operational support for GCCs across the range of military operations. US military leaders have recognized that stability operations require policing efforts

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<sup>121</sup>Ibid, 5.

<sup>122</sup>Joseph D. Celeski, *Policing and Law Enforcement in COIN--The Thick Blue Line* (Joint Special Operations University: Hurlburt Field, FL, 2009), 5.

<sup>123</sup>David H. Bayley, *Democratizing the Police Abroad: What To Do and How To Do It* (US Department of Justice, Office of Justice Programs, National Institute of Justice, 2001), 53. Accessed 01 August 2014, <http://observatoriodeseguranca.org/files/bayley.pdf>.

to establish the rule of law and eventual state government legitimacy. The MP competencies of policing, investigations, and corrections distinguish these soldiers as professionals with a unique skill set designed to protect and serve communities. More importantly, these capabilities offer GCCs “an agile, responsive, and effective tool to build partner policing and corrections capacity.”<sup>124</sup> These capabilities are vital to failing states, in which intervention time is of the essence.

In *Policing and Law Enforcement in COIN: The Thick Blue Line*, special operations warfare scholar Joseph Celeski theorizes that in weak states, the intervention point, which is the time period in which statesmen provide additional law enforcement assets, “is often missed due to lack of capability and capacity to handle the growing problem.”<sup>125</sup> Celeski later suggests that when states finally do intervene in an attempt to control violence, it is often too late and the response is characterized by a military posture, as opposed to a policing disposition. Hence, in order to prevent state failure, police and internal security assets must assume a proactive role before the intervention point at which insurgents have begun to delegitimize governments. By offering GCCs a readily deployable force with expertise in police operations, corrections, and investigations, Military Police can train constabulary forces in Phase Zero before a full outbreak of insurgency occurs. In applying this methodology, the end state would be “a return to the rule of law scenario where policing and law enforcement can handle the problem,”<sup>126</sup> as opposed to the immediate employment of traditional maneuver outfits.

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<sup>124</sup>United States Army, *Military Police Force 2025 Strategic Plan* (Washington, DC: Government Printing Office, 2014), 30.

<sup>125</sup>Joseph D. Celeski, *Policing and Law Enforcement in COIN--The Thick Blue Line* (Joint Special Operations University: Hurlburt Field, FL, 2009), 28.

<sup>126</sup>*Ibid*, 29.

## Australian Federal Police in East Timor and the Solomon Islands

This section of the study will analyze the proactive role that the Australian Federal Police (AFP) have taken in training host nation police forces in East Timor and in the Solomon Islands as an expeditionary constabulary force. Unlike the United States, Australia has trained foreign police in both pre-crisis environments and in states recovering from armed conflict. This information will identify the benefits of the Australian Federal Police constabulary model that a notional US expeditionary police organization can potentially emulate. More importantly, by comparing the US military constabulary police-training case study to that of the Australian Federal Police, the report will attempt to prove that because Australia is not bound by legislation prohibiting the training of foreign police, this state is more effective in containing terrorism and violence.

For the past two decades, Australia has made many pioneering strides in security sector reform and foreign police development. As the world's first deployable police force, the Australian Federal Police (AFP) has helped to rebuild foreign police and to restore state legitimacy. This expeditionary police force has intervened in many struggling states, including Cambodia, Somalia, Iraq, Afghanistan, East Timor, and the Solomon Islands.<sup>127</sup> This study will focus on Australia's intervention in East Timor in 1999 and 2006, which was a post conflict environment. The report will then analyze the AFP's involvement in the Solomon Islands in 2003, which was a struggling state that had not experienced armed conflict at the time of intervention.

Following the formal Timorese Vote for independence from Indonesia, East Timor experienced the first legitimate post-Cold War security crisis in Southeast Asia. This tension originated in April of 1974, when left wing military officers overthrew the Portuguese

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<sup>127</sup>Marcus Fielding, *War, Law and Order-Case Study: Australian Whole-of-Government Efforts to Develop the Security and Criminal Justice Sectors in Stabilization* (Army War College: Carlisle Barracks, PA, Army Peacekeeping and Stability Operations Institute, 2012), iv.

government of Oliveira Salazar and communicated their intention to grant independence to overseas colonies, including East Timor. Due to these conditions, East Timor began to form political parties, the most dominant of which was Frente Revolucionaria de Timor-Leste Independente (FRETILIN), which espoused a Marxist ideology. The President of Indonesia became concerned about having a Marxist state on the border of Indonesia. Consequently, in December of 1975, Indonesia invaded East Timor, having gained the approval of the United States. As a result of this kinetic action, Indonesia was engaged in counterinsurgency operations with the political parties of Forças Armadas da Libertaco Nacional de Timor-Leste (FALINTIL) and FRETILIN, which actively sought the independence of East Timor. After years of armed conflict, Indonesia found itself in an economically precarious situation.<sup>128</sup>

The Asian economic crisis of 1997-1998 weakened Indonesia's economy, and Indonesia did not want to waste lives and economic resources in retaining East Timor. In January of 1999, President Habibie offered the citizens of East Timor the choice of either "special autonomy for East Timor within the Unitary State of the Republic of Indonesia or East Timor's separation from Indonesia."<sup>129</sup> These options generated internal tension and fighting within the state, as several members of this society were adamantly opposed to complete independence and separation. This difference in opinion resulted in severe bouts of violence with "more than 1,300 Timorese civilians killed and 300,000 displaced."<sup>130</sup> Having both geo-strategic and economic interests in East Timor, Australian Prime Minister John Howard requested a UN Security Council mandate to create a coalition designed to restore security in East Timor. Shortly thereafter, the Australian government built a coalition of nations willing to participate, the International Force East Timor

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<sup>128</sup>Michael Prictor, *Regional Solutions for Regional Problems: East Timor and Solomon Islands* (Army War College: Carlisle Barracks, PA: Peacekeeping and Stability Operations Institute, 2012), 3-4.

<sup>129</sup>Ibid, 4.

<sup>130</sup>Ibid, 5.

(INTERFET).<sup>131</sup>

Led by Australia, INTERFET consisted of about 12,000 troops including “combined arms, light infantry brigades with naval and air supporting elements, and Special Forces.”<sup>132</sup> The police that deployed in support of this effort consisted of both armed and military police forces. This piecemealed police force had the collective missions of providing security and maintaining law and order, disarming ex-combatants, and aiding in the development of the East Timor Defense Force and Police Service.<sup>133</sup> Over a five-month period, this task force effectively quelled internal violence, “facilitated the Indonesian military withdrawal, disarmed the warring factions, and assisted approximately 200,000 displaced persons to return to their homes.”<sup>134</sup> After the formal withdrawal of Indonesian forces, the United Nations Transitional Authority East Timor (UNTAET) assumed the administrative governance of East Timor until the local nationals filled this role. Years later, however, the Australian government found itself having to intervene on a second occasion in 2006, as East Timor was in danger of having an intense civil war.

After gaining independence in 2002, East Timor faced the challenge of controlling several FALINTIL fighters who demanded compensation for warding off Indonesian forces for almost two decades. Their violence hit its peak in May of 2006 when Western and Eastern gangs clashed throughout the state “resulting in more than 38 deaths, 1600 houses destroyed and approximately 150,000 displaced persons.”<sup>135</sup> Unlike the intervention in 1999 which was UN-mandated, this involvement was a bilateral agreement between the two states. Like the first

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<sup>131</sup>Ibid.

<sup>132</sup>James Dobbins, Seth G. Jones, Keith Crane, Andrew Rathmell, and Brett Steele, *The UN's role in nation-building: From the Congo to Iraq* (Vol. 304. Rand Corporation, 2001), 159.

<sup>133</sup>Ibid, 160.

<sup>134</sup>Michael Prictor, *Regional Solutions for Regional Problems: East Timor and Solomon Islands* (Army War College: Carlisle Barracks, PA: Peacekeeping and Stability Operations Institute, 2012), 10.

<sup>135</sup>Ibid, 13.

deployment of forces to East Timor in 1999, this response was also heavily militarily based, and the police effort came primarily from New Zealand, Malaysia, and Portugal.<sup>136</sup> Both operations in East Timor were military-led and emphasized security. When Australia intervened in the Solomon Islands in 2003, however, this mission focused more on nation building, with the Department of Foreign Affairs at the helm, along with the Australian Federal Police and a supporting military element. More importantly, this operation occurred in a pre-crisis environment in a state that was in danger of failing.

Since the Solomon Islands gained independence from Great Britain in 1978, it had experienced a high degree of tension between two tribal groups, the Malaitans and the Gwales. In 1998, the rivalry between the two groups had evolved into organized violence, and “[S]everal peace negotiation attempts had failed to produce results.”<sup>137</sup> By 2003, the violence continued to escalate, and Prime Minister Kemakeza requested Australian assistance in April. Accordingly, in July of 2003, Australia established Operation Helping a Friend, which came to be known as the Regional Assistance Mission-Solomon Islands (RAMSI). RAMSI was essentially a civilian led mission, “in which the police contingent provided the primary security presence, backed up by a strong and highly visible military task force.”<sup>138</sup> At this time, the AFP had developed an expeditionary police force that supported the RAMSI effort by conducting joint patrols with the Royal Solomon Police, facilitating criminal investigations and providing security services.<sup>139</sup> These actions stabilized the potentially fragile security situation “and probably forestalled the

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<sup>136</sup>Ibid, 14.

<sup>137</sup>Ibid, 16.

<sup>138</sup>Ibid, 18.

<sup>139</sup> Elsin Wainwright and John McFarlane, *Police Join the Front Line: Building Australia's International Policing Capability* (Australian Strategic Policy Institute, 2004), 2.



complete disintegration of government authority.”<sup>140</sup> The remainder of this study will attempt to determine if Australia’s approach in the Solomon Islands was more effective in deterring violence and eventual state failure, because it occurred in a pre crisis environment and involved a more police-centric approach. The five research questions employed throughout this study will facilitate this analysis

The first research questions asks in what states have constabulary police forces been effective in defeating insurgency and/or terrorism. Australia has been successful in assisting failing states to become more stable and capable of self-governance through persistent engagement with both foreign militaries and police forces. Two states in which this strategy has been effective are East Timor and the Solomon Islands. The Australia Federal Police Force (AFP) initially deployed to East Timor in support of the UN Assistance Mission and has continued to play a significant role in police capacity building since its initial engagement, as Australia maintains a constant presence in this state with nineteen AFP outfits deployed for six-month iterations. They continue to develop Timorese police through mentoring, training and joint patrolling.<sup>141</sup> When the AFP first went to East Timor in 1999, they experienced moderate success.

As a part of the INTERFET, Australian police played an integral role in withdrawing more than Indonesian 26,000 troops from East Timor by establishing a viable security framework for the broken state until the Timorese began to take onus in May of 2002. This police mission made several contributions to the reconstruction of this struggling state, such as halting militia violence, disarming warring factions, and assisting over 200,000 displaced persons in returning to

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<sup>140</sup>Michael Prictor, *Regional Solutions for Regional Problems: East Timor and Solomon Islands* (Army War College: Carlisle Barracks, PA: Peacekeeping and Stability Operations Institute, 2012), 19.

<sup>141</sup>Elsina Wainwright and John McFarlane, *Police Join the Front Line: Building Australia's International Policing Capability* (Australian Strategic Policy Institute, 2004), 2.

their homes.<sup>142</sup> Although, this mission met some success, the AFP found themselves having to intervene on a second occasion in 2006, when East Timor was on the brink of a civil war.

The most formidable threat to internal security in East Timor in 2006 was the combination of Eastern FALINTIL and Policia Nacional de Timor-Leste (PNTL) foreign fighters who demanded recognition for fending off Indonesian forces for more than 24 years.<sup>143</sup> Westerners, on the other hand, felt that they were receiving unequal treatment from the state and that “they were being discriminated against in terms of promotion and influence within the security forces.”<sup>144</sup> This internal tension and fighting continued to plague East Timor through 2008, and violence reached its apex with an assassination attempt on President Gusamo and Prime Minister Ramos in February of 2008.<sup>145</sup> Australia responded in a more rapid manner on this occasion, and this intervention was not a UN mission, but rather a bilateral state agreement between Australia and East Timor.<sup>146</sup>

Within hours of receiving a request for assistance from Prime Minister Ramos, Australia, having prepositioned military forces and maintaining a high state of readiness, responded with a task force of military and police forces that was instrumental in restoring law and order. Eventually, the protagonists signed a peace agreement in August of 2008 that has been instrumental quelling further violence.<sup>147</sup> Because both of these interventions were military heavy with the police serving in a limited capacity, East Timor continues to face internal security

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<sup>142</sup>Michael Prictor, *Regional Solutions for Regional Problems: East Timor and Solomon Islands* (Army War College: Carlisle Barracks, PA: Peacekeeping and Stability Operations Institute, 2012), 9-10.

<sup>143</sup>Ibid, 12.

<sup>144</sup>Ibid, 13.

<sup>145</sup>Ibid, 14.

<sup>146</sup>Ibid, 15.

<sup>147</sup>Ibid, 14.

challenges, as the AFP continues to engage with this police force on six month deployment rotations, and Australia has spent over \$40 million over a span of four years on training and equipping East Timor's police.<sup>148</sup> In contrast, Australia's intervention in the Solomon Islands in 2003 was more police centric with a focus a nation building. Moreover, this engagement was more proactive than reactive, as it occurred in a pre-crisis atmosphere.

In 2003, the Solomon Islands had fallen into a state of violent anarchy as a result of more than two decades of internal fighting between the rival militia groups of the Gwales and the Malaitans. When hundreds of local nationals lost their lives and 30,000 people had become displaced, Prime Minister Kemakeza made a formal request for Australian assistance in April of 2003.<sup>149</sup> Accordingly, Australia formed the Regional Assistance Mission- Solomon Islands (RAMSI). Fortunately, the AFP had developed an expeditionary police force over the past decade and was able to intervene promptly.

With this rapid response capability, the AFP spearheaded the RAMSI Participating Police Force (RAMSI PPF) effort and deployed more than 300 AFP officers. When this task force arrived in July of 2003, it was able to immediately stabilize the deteriorating security situation and prevented potential state failure. This effectiveness was evident when the RAMSI military element "was able to draw down from 1800 personnel to 700 personnel within six months and to 400 personnel within 12 months."<sup>150</sup> Furthermore, when bouts of violence threatened the internal security between 2004 and 2006, Australia immediately deployed additional police and military assets to preempt the threats to stability. This proactive approach to security sector reform had lasting effects due to persistent engagement led by a police force with the technical expertise

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<sup>148</sup>Elsina Wainwright and John McFarlane, *Police Join the Front Line: Building Australia's International Policing Capability* (Australian Strategic Policy Institute, 2004), 2-6.

<sup>149</sup>Michael Prictor, *Regional Solutions for Regional Problems: East Timor and Solomon Islands* (Army War College: Carlisle Barracks, PA: Peacekeeping and Stability Operations Institute, 2012), 16-17.

<sup>150</sup>*Ibid*, 19.

necessary to train and empower foreign police. Additionally, civilian government officials and aid agencies partnered “with Solomon Islands government departments and financial institutions to rebuild effective governance.”<sup>151</sup>

The second research question asks about the composition of a typical constabulary police force. Since 1964, the AFP has played an active role in peacekeeping and foreign police development and has deployed to states including Papua New Guinea, Timor-Leste, the Solomon Islands, Tonga, and Afghanistan. The expeditionary group of the AFP that responds to security crises in struggling states is the International Deployment Group (IDG). Formed in February of 2004, the organization’s mission is “to provide a single and holistic internal management regime for the AFP’s peacekeeping, peace restoration and capacity building missions.”<sup>152</sup> Essentially, this organization is an expeditionary police force that aids in police development and rule of law establishment in struggling states that request Australia’s aid. This organization consists of three primary components: the Australia based group, the operations response group, and the mission component.<sup>153</sup>

The Australia based group retains about 250 personnel who actively support deployed members of the AFP through intelligence and analytical and technical support. This entity also provides “strategic advice to the AFP executive.”<sup>154</sup> The second component is the Operations Response Group. Consisting of about 200 personnel, these individuals provide a readily deployable group of police who are able to respond to either a domestic or international security crisis. This unit is a reactive force. For preemptive interventions, the IDG retains the Mission

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<sup>151</sup>Ibid, 19.

<sup>152</sup>Marcus Fielding, *War, Law and Order-Case Study: Australian Whole-of-Government Efforts to Develop the Security and Criminal Justice Sectors in Stabilization* (Army War College: Carlisle Barracks, PA, Army Peacekeeping and Stability Operations Institute, 2012), 32.

<sup>153</sup>Ibid.

<sup>154</sup>Ibid.

Component, which is the largest component with 750 AFP who are readily available for deployment. This group is able to support “two long-term missions, one medium sized long-term mission and seven smaller missions at any one time.”<sup>155</sup> Although the primary purpose of this element is preemptive police capacity building, it retains the ability to be able respond to an existing crisis as well.<sup>156</sup>

The next research question asks what the composition of an expeditionary Military Police team assigned to a Regionally Aligned Force (RAF) would resemble. The AFP’s Mission Component assigned to the International Deployment Group most closely resembles the expeditionary police model proposed by Geoffrey Demarest. This police unit can be deployed overseas at short notice, and no other state has developed this capability, in spite of a growing demand for police forces in the UN and in global coalitions.<sup>157</sup> The composition that would resemble Demarest’s model most closely is the task force that the AFP led in the Solomon Islands in 2003.

The RAMSI effort consisted of a Participating Police Force (PPF), which the AFP led, representatives from the Department of Foreign Affairs and Trade, “equivalent to the US Department of State, and a military component designed to respond to kinetic threats. This compilation of forces assumed a nation building approach in a preemptive manner designed to quell emerging violence and to ultimately prevent state failure.<sup>158</sup> While the PPF focused on security reform, civilians from Foreign Affairs and Trade conducted partnering activities with

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<sup>155</sup>Marcus Fielding, *War, Law and Order-Case Study: Australian Whole-of-Government Efforts to Develop the Security and Criminal Justice Sectors in Stabilization* (Army War College: Carlisle Barracks, PA, Army Peacekeeping and Stability Operations Institute, 2012), 33.

<sup>156</sup>*Ibid.*

<sup>157</sup>*Ibid.*

<sup>158</sup>Michael Prictor, *Regional Solutions for Regional Problems: East Timor and Solomon Islands* (Army War College: Carlisle Barracks, PA: Peacekeeping and Stability Operations Institute, 2012), 20.

Solomon Islands government officials as well as financial institutions in an attempt to rebuild economic capabilities and governance. This synchronization of effort set optimal conditions for establishment of rule of law and government legitimacy. More importantly, this intervention occurred prior to armed conflict and quelled emerging violence before the state failed and required the expenditure of additional resources.

The fourth research question asks about the constraints of the Foreign Assistance Act of 1974 with regard to training foreign police forces and the exceptions that have been applied to this law to facilitate the United States offering assistance to police forces in states recovering from conflict. Unlike the United States, Australia is not constrained by legislation that prevents them from training foreign police. Accordingly, they have been able to respond to security crises through police partnering missions, and they have been able to prevent state failure through persistent engagement with host nation security forces. The legislation that makes this action possible is two exceptions that have been applied to the UN Charter on the use of force. Specifically, Article 2(4) stipulates that all member states in the UN are to refrain from applying force “against the territorial integrity or political independence of any state.”<sup>159</sup> Article 2 (7) further supports this restriction and “forbids intervention in matters that fall essentially within the ‘domestic jurisdiction.’”<sup>160</sup> The exceptions applied to this Charter that facilitated Australia’s involvement in the Solomon Islands mission are a state’s right to self-defense and the right to maintain and restore international peace.

Although the unstable security situation in the Solomon Islands did not present a direct threat to the defense of Australia, the criminals and militants operating in networks within the dysfunctional state had the potential to evolve into a terrorist organization that would be able to threaten regional security in the Pacific. In justifying the intervention, the Australian prime

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<sup>159</sup>Joseph D. Foukona, “Regional Intervention in Solomon Islands,” *Journal of South Pacific Law*, Volume 9, Issue 1, 2005.

<sup>160</sup>*Ibid.*

minister declared, “[T]oo often we have seen rogue and failed states become the base from which terrorists and transnational criminals’ organize their operations.”<sup>161</sup> In order to preserve both internal and regional security, intervention a failing state was in Australia’s best national interests and justified by the right to maintain and restore international peace per the UN Charter on the employment of force.

The final research question asks about the benefits of developing effective constabulary forces with Military Police in Phase Zero operations, and whether or not this approach offers Geographic Combatant Commanders (GCCs) increased flexibility with regard to the employment of maneuver units and SOF elements. Australia’s involvement in a pre-conflict environment is illustrative of the security benefits of preemptive and subsequent steady engagement. More importantly because the government of Australia employed the AFP as the primary trainers and mentors of the Solomon Island police forces, their experience and law and order expertise had lasting effects.

Comparatively, when Australia first intervened in East Timor, this engagement occurred after armed conflict and state failure, and the engagement was more military centric and utilized the police in a limited capacity. Consequently, this deployment of combat forces did not have permanent effects, as Australia had to intervene on a second occasion in 2003 and continues to deploy the AFP every six months to build police capacity. Preemptive and persistent engagement with foreign police in failing states minimizes the potential for state failure and the eventual deployment of conventional forces in support of nation building missions. This approach would ensure that individuals with expertise in policing and nation building are employed in a manner commensurate with their abilities and would allow war fighting maneuver assets to commit themselves exclusively to the mission of winning major combat operations. An equivalent hybrid-police model in the United States would be “a standard tool for implementing administration foreign policy, while war fighting units could be reserved for deployment during those military

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<sup>161</sup>Ibid.

emergencies that enjoyed a broader government consensus.”<sup>162</sup>

### Findings

The previous section presented two case studies on foreign police development and analyzed each account with five research questions designed to identify the conditions that are characteristic of an effective foreign police training program. The data collected on the US Military training police as a constabulary force in post WWII Germany and the Australian Federal Police (AFP) building police capacity in East Timor and the Solomon Islands illustrates the criticality of expertise in law enforcement, longevity, and preemption in training foreign police. This study will now further examine and apply the data collected in the two case studies against the two hypotheses presented earlier to test the feasibility of Geoff Demarest’s expeditionary police model for the US military.

The first research question asked in what states have constabulary forces been effective in defeating insurgency and terrorism. The US military’s Constabulary Force in post WWII Germany and the Australian Federal Police (AFP) in East Timor and the Solomon Islands were both able to contain violence after major combat operations and preemptively. The US military and the AFP were successful in these instances because of their acquired adeptness in policing and persistent engagement with host nation police forces.

Proficiency in law enforcement practices, patrolling, investigations and corrections is vital to building police capacity. In both of the aforementioned instances, trained military police or federal police with a solid background in community policing assumed the role of training foreign police. Although the US Constabulary in post WWII Germany consisted primarily of former cavalry and infantry soldiers, these individuals underwent a yearlong extensive training program, which placed emphasis on the fundamentals of patrolling, searches, investigations and other law enforcement protocol, prior to assuming the role as constabulary police. Furthermore, Australia’s initial intervention in East Timor in 1999 was not as effective as was the AFP’s

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<sup>162</sup>Geoffrey Demarest, “Expeditionary Police Service,” *Military Review* 73 (1993), 1.



involvement in the Solomon Islands in 2003. Australia was more effective in the Solomon Islands because the mission of building police capacity was led by the federal police, as opposed to the first mission in East Timor that was led by the military. Long-term investment and preemption are also integral parts of containing violence through the means of police development.

The US military's constabulary forces in post WWII Germany were able to prevent internal strife due to their persistent engagement and patrolling with German police, and the AFP continue to maintain a presence in East Timor and remain on six month deployments. A proactive approach to police development is also critical to containing terrorism and bouts of violence in struggling states. The US Military has never conducted police development with military police in a pre-combat environment. As demonstrated by the United States' involvement in Iraq and Afghanistan, police development has historically occurred after armed conflict, and in these stability operations, priority is often given to foreign militaries, as opposed to the police.<sup>163</sup>

Australia's approach to police development in the Solomon Islands illustrates the effectiveness of conducting police development preventatively with constabulary police forces at the forefront of the operation. Since individuals with broad policing experience intervened in this struggling state prior to the inception of a civil war, Australia was able to contain recurring violence and has not had to intervene on consecutive occasions.

The second research question asked about the composition of a typical constabulary force. In 1945, the US military's version of a constabulary force was analogous to the composition of a tradition cavalry outfit with the troop as the primary maneuver unit. Each parent regiment had an organic headquarters and service sections, which allowed the subordinate troop units to sustain themselves independently while assigned to specific areas of responsibility for patrolling. These regiments were also equipped with the same degree of lethality as a traditional cavalry organization, which gave the constabulary forces the ability to respond to external threats

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<sup>163</sup>Robert K. Byrd, "Foreign Police Development: The Third Time's the Charm," (Army War College, Carlisle Barracks, PA, 2010).

and to deter violence with advanced firepower and maneuver capabilities. The only vital asset that this organization lacked was the experience of veteran Military Police soldiers with in depth knowledge of policing operations.<sup>164</sup>

Although the US military effectively compensated for this deficiency through a comprehensive police-training program prior to the constabulary forces assuming policing responsibilities, the soldiers that performed these constabulary duties did not have the law enforcement and practical policing experience of a seasoned Military Police soldier. This experience is vital to training foreign police and preparing them for enforcing domestic laws and deterring internal violence. An expeditionary constabulary police force that has both the lethality of a military outfit and an extensive background in law enforcement operations would offer an ideal hybrid model that would contain pending acts of terror while training host nation forces to assume the responsibilities of participatory community policing.

Comprised of intelligence and mission command cells that support police who are able to quickly respond to both international and domestic security crises, the Australian Federal Police's expeditionary force offers a model that is worthy of emulation in some facets. Although this police model retains immediate deployment capability and the capacity to respond to domestic law and order challenges, it lacks the lethality and the maneuver capability of a traditional military outfit. Australia has mitigated this security risk by augmenting the AFP with military security details on its overseas police development missions. Although their police and military worked well together in the Solomon Islands, command and control of operations continues to present operational challenges for the state. Australian officials have suggested that key personnel should make a concerted effort to understand the roles and doctrine employed by both the

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<sup>164</sup>Kendall D. Gott, *Mobility, Vigilance, and Justice: The US Army Constabulary in Germany, 1946-1953* (Army Command and General Staff College: Fort Leavenworth, KS, Combat Studies Inst., 2005).

military and police.<sup>165</sup> The expeditionary police model proposed by Geoff Demarest would furnish a mechanism to facilitate the interoperability of the military and police for the Department of Defense's constabulary or foreign assistance missions.

The third research question of the study asked what the composition of an expeditionary Military Police team assigned to a Regionally Aligned Force (RAF) would resemble. The Army Operating Concept for 2025 places emphasis on consistent regional engagement and retaining the capacity to respond to domestic and international security crises. Specifically, this methodology stipulates that SOF and conventional forces engage in theater security cooperation tasks "including security force assistance."<sup>166</sup> The interoperability of SOF and traditional military forces would promote the capabilities of foreign militaries and police forces, while providing early warning systems and information to drive eventual campaigns. This perpetual engagement would also set favorable conditions for the commitment of traditional combat forces, in the event that "diplomacy and deterrence fail."<sup>167</sup> The empirical data collected in the study suggests that a combination of expeditionary police forces and military lethality would best support the US military's vision for a Regionally Aligned Force that would partner with foreign police on a consistent basis.

Combining the traditional 36-man Military Police platoon with Military Intelligence teams and civil affairs and psychological operations teams would comprise a police development organization that would train foreign police to provide their own physical security, while locating and negating criminal networks. This asset would be analogous to the AFP's International Deployment Group that consistently deploys to assist in peace restoration activities and police

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<sup>165</sup>Elsina Wainwright and John McFarlane, *Police Join the Front Line: Building Australia's International Policing Capability* (Australian Strategic Policy Institute, 2004), 9.

<sup>166</sup>TRADOC Pamphlet 525-3-1, *The U.S. Army Operating Concept: Win in a Complex World* (Washington, DC: Government Printing Office, 2014), 15.

<sup>167</sup>*Ibid.*

capacity building missions. This organization would also retain lethality with the platform of a Military Police platoon as well as an organic combined arms brigade that Demarest proposes in his model. This outfit would include motorized and airborne/air assault infantry battalions, a field artillery battalion as well as a cavalry squadron.<sup>168</sup> This notional array of forces would complement the war fighting functions of maneuver, fires, and intelligence by adding a new dimension of foreign partnership and the selective application of force.

The constabulary effort, armed with enough lethality to counter external threats, would be able to accurately locate enemy forces while training police and engaging with the local populace in order to promote participatory community policing as a desired end state. “Instead of thinking in terms of firepower and combat multipliers, constabulary officers have to think in terms of the need to more precisely define and locate any enemies, negate an enemy with an appropriate amount of force and prepare populations to provide their own security.”<sup>169</sup> An organization of this nature should be preserved for missions that involve diplomacy and foreign assistance. This methodology would create a two-tier decision path for Geographic Combatant Commanders for the deployment of forces overseas and give them increased options for the employment of maneuver forces and SOF during major combat operations.

The expeditionary constabulary police service would be deployed for the implementation of foreign policy goals, while war-fighting organizations would engage in deployments requiring the application of sheer military force.<sup>170</sup> Although this dynamic is ideal and would promote simultaneity by executing mutually supporting tasks across the range of military operations, legal constraints forbid conventional US military forces from training foreign police or militaries in Phase Zero operations.

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<sup>168</sup>Geoffrey Demarest, “Expeditionary Police Service,” *Military Review* 73 (1993), 5.

<sup>169</sup>*Ibid*, 3.

<sup>170</sup>*Ibid*, 1.

The next research question asks about the constraints of the Foreign Assistance Act of 1974 with regard to training foreign police forces and the exceptions that have been applied to this law to facilitate the United States offering assistance to police forces in states recovering from conflict. Analysis of the background of this law revealed that the act was established in order to prevent the US from being associated with foreign militaries and police forces that employed abusive practices, in light of events that transpired in South Vietnam once the state had fallen to Communists in 1973. However, exceptions have been applied to this law, which have permitted the FBI, DEA, and the Department of State to train foreign police in failed states emerging from armed conflict.<sup>171</sup>

The Department of State (DoS) has provided assistance to struggling police forces in failed states by deploying civilian police overseas in conjunction with the Department of Justice and USAID. These entities, however, lack the depth and lethality of a military outfit, which can place these agencies in a precarious situation from a security standpoint, particularly in states with non-permissive environments. More importantly, the US Army has never conducted police development with Military Police preemptively to prevent state failure and the subsequent deployment of combat forces. Conversely, the state of Australia has conducted host nation police development in both pre and post-combat atmospheres.

Australia has been able to assume this proactive approach to foreign police development because the state is not bound by legislation that prohibits the training of foreign police or militaries. Additionally, Australia retains a readily deployable expeditionary police force that is able to respond to both international and domestic security crises. The Australian Federal Police were able to prevent state failure in both East Timor and in the Solomon Islands by deploying expeditionary police teams to train and partner with foreign police. This persistent engagement assisted these states in eventually reestablishing the rule of law and government legitimacy.

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<sup>171</sup>David H. Bayley, *Democratizing the Police Abroad: What To Do and How To Do It* (US Department of Justice, Office of Justice Programs, National Institute of Justice, 2001), 3.

Legally, Australia was able to justify its intervention in these instances by postulating that intervention was necessary to preserve its national interests and security. Based on the reasoning that failing states with a lack of legitimate governance often serve as safe havens and grounds for breeding future terrorist networks, Australia was able to gain exception to UN Charter Article 2 (7) that “forbids intervention in matters that fall essentially within the ‘domestic jurisdiction.’”<sup>172</sup>

The final research question asks about the benefits of developing effective constabulary forces with Military Police in Phase Zero, and whether or not this approach offers Geographic Combatant Commanders (GCCs) increased flexibility with regard to the employment of maneuver units and SOF elements. As a military asset, Military Police soldiers possess both technical knowledge on law enforcement operations as well as the ability to apply lethal military force, which allows them to contain emerging threats in non-permissive environments. Additionally, the employment of MPs as the primary trainers of foreign police allows SOF to focus on training host nation militaries, which is a task that is more commensurate with their skill sets. This efficiency facilitates the tenet of simultaneity, which is vital to the Army Operating concept for 2025.

Simultaneity is the execution of several mutually supporting tasks across the range of military operations.<sup>173</sup> This tenet allows GCCs to “deliver multiple blows to the enemy while reassuring allies and influencing neutrals” and overwhelms enemy forces.<sup>174</sup> The use of MPs for police training allows combat arms organizations to focus on kinetic operations, thereby creating a decision path for GCCs for the optimal employment of assets, which promotes economy of

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<sup>172</sup>Joseph D. Foukona, “Regional Intervention in Solomon Islands,” *Journal of South Pacific Law*, Volume 9, Issue 1, 2005.

<sup>173</sup>Army Doctrine Reference Publication 3-0, *Unified Land Operations* (Washington, DC: Government Printing Office, 2012), 2-4.

<sup>174</sup>TRADOC Pamphlet 525-3-1, *The U.S. Army Operating Concept: Win in a Complex World* (Washington, DC: Government Printing Office, 2014), 19.

force. More importantly, employing MPs as the primary trainers police forces provides a solid base of law enforcement subject matter expertise that enables foreign police as a capable arm of government. These security forces are subsequently able to provide security for their communities and to deny sanctuary to terrorist networks. Australia illustrated the effectiveness of this ideology during its intervention in the Solomon Islands in 2003.

As stated earlier in the study, Australia's initial intervention in East Timor was not as successful as that in the Solomon Islands for two reasons. First, Australia deployed forces to East Timor after the state had already failed and become overrun by extremists and other non-state actors who delegitimized the government; their intervention was too late. Second, Australia's nation building mission in East Timor was led by the military as opposed to the police. Australia's deployment of force to the Solomon Islands that was more police-centric had more lasting effects than its East Timor, mission because constabulary forces were the primary trainers of foreign police, and because the state intervened before the Solomon Islands became an incubator for terrorist networks.

If the US military applied this same logic to the employment of a constabulary force designed for nation building, this notional outfit would be able to identify and isolate enemy networks in conjunction with building host nation partner quickly and efficiently, while simultaneously encouraging "populations to participate in their own security needs."<sup>175</sup> This efficiency would facilitate the lasting effects of a capable police force and eventual legitimate governance, thereby precluding the deployment of combat arms organizations to failed states.

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<sup>175</sup>Geoffrey Demarest, "Expeditionary Police Service," *Military Review* 73 (1993), 3.

## Analysis

Hypothesis one stated that if a struggling state has a professionalized constabulary police force, then host nations are able to offer local populations security and safety. The evidence obtained from the two cases studies supports this hypothesis. Both instances that the case studies examined experienced a significant decrease in violence after their respective police forces received in-depth training from professionalized constabulary forces. After World War II, the United States and the rest of the Allies devised a comprehensive plan to help Germany rebuild its society in a democratic manner. The result was Operation Eclipse, which addressed matters including disarmament, establishment of rule of law, and government legitimacy.<sup>176</sup> This plan also produced the US Constabulary force that collaborated with German police on patrols and border security operations.

The Germans relied on this constabulary force for law enforcement and personal security until they were able to reconstruct their country.<sup>177</sup> The US Constabulary “provided the security needed to promote the rebuilding of Germany’s political and economic infrastructure.”<sup>178</sup> By consistently engaging with host nation forces and helping them to reestablish the rule of law, the United States set conditions for lasting peace in Germany. Australia set the same conditions for legitimate governance in East Timor and in the Solomon Islands. The intervention in East Timor was not as effective as that in the Solomon Islands, since Australia’s initially took a military-centric approach to nation building. The second intervention in the Solomon Islands was more focused on police capacity building and occurred preemptively.

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<sup>176</sup>Kendall D. Gott, *Mobility, Vigilance, and Justice: The US Army Constabulary in Germany, 1946-1953* (Army Command and General Staff College: Fort Leavenworth, KS, Combat Studies Inst., 2005), 2-3.

<sup>177</sup>*Ibid*, 29-30.

<sup>178</sup>*Ibid*, 30.



Regional Assistance Mission-Solomon Islands (RAMSI) was a nation-building mission with the Australian Federal Police Force (AFP) at the forefront of the operation. The AFP's expeditionary police force provided security while training and partnering with Royal Solomon Islands Police, while a military task force augmented the protection effort.<sup>179</sup> "The police-led security effort was so effective that the RAMSI military component was able to draw down from 1800 personnel to 700 personnel within six months and to 400 personnel within 12 months."<sup>180</sup> Acknowledging the criticality of persistent engagement with foreign police in a struggling state, Australia continued to deploy expeditionary police in 2004, 2005, and 2006, when recurring bouts of violence threatened the stability of the government.<sup>181</sup> The empirical data collected in this study illustrates a direct relationship between professionalized police forces and controlling bouts of violence in a state. The case studies also illustrate the benefits of persistent engagement with and the training of foreign police conducted by professionalized police forces that have law enforcement training and practical police experience.

Hypothesis two stated that if Geographic Combatant Commanders (GCCs) employ Military Police as the primary trainers of host nation constabulary police forces, then they will have increased options for the employment of coercive forces from a distance during Phase Zero operations. The evidence suggests that hypothesis two is not supported. Although employing Military Police soldiers as the primary trainers of host nation constabulary police forces during Phase Zero operations would offer GCCs the tenet of simultaneity and would promote economy of force, no empirical data exists on Military Police training foreign police during peacetime operations. This information does not exist because of the fact that US Army Military Police cannot train foreign police preemptively due to the legal constraints imposed by the Foreign

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<sup>179</sup>Michael Prictor, *Regional Solutions for Regional Problems: East Timor and Solomon Islands* (Army War College: Carlisle Barracks, PA: Peacekeeping and Stability Operations Institute, 2012), 18.

<sup>180</sup>*Ibid*, 19.

<sup>181</sup>*Ibid*.

Assistance Act of 1974. The only case studies that exist on Military Police training foreign police are in post combat scenarios. This dynamic may be subject to change in the near future, however.

In September of 2013, the US Army Military Police Corps developed the concept of Law Enforcement Advisory Teams (LEAT). These LEATs are designed to assess and develop foreign security forces within a combined task force consisting of intergovernmental agencies and SOF. Notionally, this outfit is comprised of senior Military Police with a broad degree of experience in tactical policing and law enforcement practices. Specifically, an MP colonel and a staff sergeant major would lead this organization. One MP major would direct the operations cell, consisting of a senior CID agent, a corrections specialist, and a physical security specialist. The desired end state in employing these piecemealed teams would be increased partner nation capacity for security, governance, and eventual rule of law. Once this organization is employed in Phase Zero operations, its effectiveness in containing violence in a struggling state can be further evaluated.<sup>182</sup>

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<sup>182</sup>US Army Military Police School, “Law Enforcement Advisory Team,” Lecture (Fort Leonard Wood, MO, 4 September 2013).

## Conclusion

The purpose of this study was to test the viability of Geoffrey Demarest's expeditionary constabulary police model for the US Military. The central thesis of the study postulated that if Military Police soldiers were employed as the primary trainers of foreign police in Phase Zero operations, then host nation constabulary police forces would be able to offer local populations security and safety. The report also suggested that developing and eventually establishing constabulary police forces during peacetime would deter internal conflict and insurgency before a state fails and requires the deployment of combat forces for rebuilding and stability operations. The five research questions applied in this report evaluated the potential effectiveness of the US Army Military Police training host nation police forces during Phase Zero operations in conjunction with SOF and other intergovernmental agencies. By comparing the police training practices of the US military and the Australian Federal Police (AFP), the study sought to determine a theoretical foundation for an expeditionary police-military organization that could be employed during Phase Zero operations. This section presents the findings, analyzes the significance thereof, and discusses the areas in which further research is necessary.

The findings of this research illustrate a positive correlation between professionalized constabulary police forces and a state's ability to contain and avert violence and emerging terrorist and criminal networks. The research also revealed that persistent engagement between host nation and professionalized police forces that have both extensive training in law enforcement and practical policing experience postures a state to eventually govern autonomously and to offer its citizens security and safety. The study also identified the need for lethality and maneuver assets while conducting police building missions in non-permissive environments. However, the study could not prove that employing US Army Military Police as the primary trainers of foreign police forces in Phase Zero operations would offer GCCs increased options for the employment of SOF and maneuver outfits from a distance.

The significance of the findings is that the Foreign Assistance Act of 1974 detracts from the options available to GCCs in Phase Zero operations and diminishes the tenets of simultaneity and depth from an operational art standpoint. Although intergovernmental agencies are granted exemption from the aforementioned law and conduct police training missions under the Title 22 and Title 50 authorizations, these entities often do not have the firepower of a traditional military outfit.<sup>183</sup> Furthermore, they often do not have the operational depth and the manpower to efficiently engage and partner with a foreign police force at all hierarchical levels of execution.

SOF is also granted exemption from the parameters of the aforementioned law under the Joint Combined Exchange for Training (JCET) program with Title 10 authorizations. Even though SOF typically has enough lethality to facilitate protection in hostile environments, they also lack the operational depth to engage with police thoroughly. Senior military leaders have declared that the JCETs are often ineffective in building partner capacity, due to a collective lack of operational depth. “At their worst, JCETs are single events, unrelated to broader strategic aims, providing perishable tactical exchanges with little follow-on actions.”<sup>184</sup> More importantly, however, the main players in contemporary Phase Zero operations do not have the law enforcement background and policing experience of Military Police soldiers.

In order to promote operational depth and simultaneity, characterized by SOF focusing on training foreign militaries, while Military Police train constabulary forces, political leaders should consider granting Military Police soldiers and other traditional military outfits the same exceptions to the Foreign Assistance Act of 1974 that SOF and other intergovernmental agencies receive to partner with host nation forces. Not only would this action better prepare foreign police to enforce the rule of law and promote community policing in failing states, but it would also

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<sup>183</sup>Brian S. Petit, *Going Big by Getting Small: The Application of Operational Art By Special Operations in Phase Zero* (Denver, CO: Outskirts Press, Inc, 2013), 112-113.

<sup>184</sup>*Ibid*, 111-112.

promote the tasks of regional engagement and global response, which are vital to the execution of the Army Operating Concept of 2025.

If Military Police and conventional military forces were granted exemption from the constraints of the Foreign Assistance Act of 1974, US military leaders and statesmen would also need to decide how to employ these assets in a domestic capacity while they are not regionally engaged with foreign forces. A recent RAND report expresses the need for a stability police force in the United States and suggests that such a constabulary force should maintain partnerships with local law enforcement agencies to maintain proficiency in law enforcement practices while its members are not deployed overseas. However, the constraints of posse comitatus would preclude US Army Military police from maintaining such partnerships and enforcing law outside of the parameters of a military installation.<sup>185</sup> Another option that political leaders may consider is embedding the constabulary force with the US Border Patrol as a domestic mission, which would contribute to homeland security while continuing to refine MPs' policing skills.

The need for more research is apparent. Additional study on the feasibility of changing the restrictions of the aforementioned law is necessary to confirm the viability of Demarest's expeditionary police model from a legal standpoint. The effectiveness of Law Enforcement Advisory Teams (LEATs) also needs to be evaluated once these MP teams are deployed overseas with SOF and other intergovernmental agencies. The empirical data obtained from the study of these teams' effectiveness in training foreign police and in averting violence can validate Demarest's expeditionary police model theory. There is also a need for more research on the role that the constabulary force would fill in a domestic capacity, while it is not regionally engaged with host nation police overseas.

A competent police force is the catalyst for gaining the trust of a local populace, which is the center of gravity in counterinsurgency operations. If traditional military organizations were

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<sup>185</sup>Seth G Jones and James E. Ii Barnett, *A Stability Police Force for the United States: Justification and Options for Creating US Capabilities* (RAND Corporation, 2009), 140-141.

granted immunity from the constraints of the Foreign Assistance Act of 1974, then they would be able to train host nation police preemptively. This regular engagement between foreign police in struggling states and a police force with the lethality of a traditional military outfit could prevent state failure and the deployment of combat arms organizations. The proactive employment of a professionalized police force to combat terror and violence in struggling states is an assertive approach to nation building, which would ultimately preserve both domestic and international security from a distance.

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